

# FEDERAL REGISTER

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## Regulations

### TITLE 7—AGRICULTURE

#### Chapter XI—War Food Administration (Distribution Orders)

[FDO 71-1]

#### PART 1414—POULTRY

##### TURKEYS

Pursuant to the authority vested in me by Food Distribution Order No. 71 (8 F.R. 10703), issued by the War Food Administrator on August 2, 1943, as amended, effective in accordance with the provisions of Executive Order No. 9280, dated December 5, 1942, and Executive Order No. 9322, dated March 26, 1943, as amended by Executive Order No. 9334, dated April 19, 1943, and in order to effectuate the purposes of the aforesaid orders, *It is hereby ordered*, As follows:

§ 1414.2 *Delegation of authority*—(a) *Definitions*. Each term defined or used in Food Distribution Order No. 71, as amended, shall, when used herein, have the same meaning as that which it has in said Food Distribution Order No. 71, as amended.

(b) *Delegation*. In accordance with the provisions of § 1414.1 (g) of Food Distribution Order No. 71, as amended, authority is hereby delegated to the regional directors, Food Distribution Administration, War Food Administration (8 F.R. 9315, 11198), to perform the following acts, subject to the following conditions:

(1) To consider petitions for relief from hardship with respect to turkeys delivered to the Armed Services of the United States and rejected by the Armed Services, and to grant releases with respect to such petitions upon any or all of the following conditions: That such turkeys will be (i) placed in storage; (ii) used for canning purposes; (iii) sold to purchasers who will retain such turkeys in storage or use the turkeys so sold for canning purposes: *Provided*, That no regional director shall grant releases, pursuant hereto, with respect to turkeys subject to Food Distribution Order No.

71, as amended, without first obtaining a certificate from the applicant furnished by the Office of the Quartermaster General of the United States Army showing the grade or condition of such turkeys and the number of pounds of such turkeys to be so released.

(2) To consider petitions for relief from hardship requesting releases from the provisions of Food Distribution Order No. 71, as amended, and to grant releases with respect to such petitions to the extent necessary to permit the sale of live turkeys for breeding purposes: *Provided*, That no regional director shall grant releases pursuant hereto with respect to turkeys subject to Food Distribution Order No. 71, as amended, without first obtaining proof satisfactory to him that such turkeys are to be sold as, and will be used for, breeding purposes.

(c) *Effective date*. This order shall become effective at 12:01 a. m., e. w. t., August 23, 1943.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; FDO 71, 8 F.R. 10703)

Issued this 23d day of August 1943.

ROY F. HENDRICKSON,  
*Director of Food Distribution.*

[F. R. Doc. 43-13737; Filed, August 23, 1943; 3:11 p. m.]

### TITLE 25—INDIANS

#### Chapter I—Office of Indian Affairs

##### Subchapter L—Irrigation Projects, Operation and Maintenance

#### PART 130—ORDER FIXING OPERATION AND MAINTENANCE CHARGES ON THE COLORADO RIVER INDIAN IRRIGATION PROJECT, ARIZONA

##### BASIC WATER CHARGES

JULY 31, 1943.

This order consisting of §§ 130.6 to 130.8b, inclusive, as amended by the Assistant Secretary of the Interior on February 18, 1943 (8 F.R., 4375) is hereby further amended by modifying § 130.6 to read as follows:

(Continued on next page)

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§ 130.6 *Basic water charges.* Pursuant to the provisions of the Acts of August 1, 1914, and March 7, 1928 (38 Stat. 583, 45 Stat. 210; 25 U.S.C. 385, 387), the annual basic charge against the land to which water can be delivered, under the Colorado River Indian Irrigation Project in Arizona, for the operation and maintenance of that project, is hereby fixed until further notice at \$4.50 per acre, for the delivery of not to exceed 3 acre-feet of water per acre per annum, except in instances where arrangements may be made with the approval of the superintendent for planting certain alkali tracts to rice with a view to reclaiming the lands. In such instances, water may be delivered at the rate of \$2.00 per acre per annum for the delivery of not to exceed 12 acre-feet of water per acre: *Provided*, That water shall not be furnished at this rate for more than two successive seasons.

(38 Stat. 583, 45 Stat. 210; 25 U.S.C. 385, 387)

OSCAR L. CHAPMAN,  
Assistant Secretary.

[F. R. Doc. 43-13780; Filed, August 24, 1943; 9:31 a. m.]

## TITLE 30—MINERAL RESOURCES

### Chapter VI—Solid Fuels Administration for War

[Order 3]

#### PART 602—GENERAL ORDERS AND DIRECTIVES

#### MAINTENANCE OF RECORDS AND FILING OF REPORTS

An order requiring the maintenance of records and the filing of reports and

other necessary information and statistical data by certain persons engaged in solid fuels industries.

In order to effectuate the purposes of Executive Order No. 9332 (8 F.R. 5355) it is necessary that the Solid Fuels Administrator for War obtain data concerning the shipment and distribution of solid fuels other than Pennsylvania anthracite.

Valuable information and data with regard to bituminous coal has heretofore been readily available from invoices, reports and other statistical data required to be filed with the Bituminous Coal Division of the Department of the Interior pursuant to appropriate orders of the Division issued under the Bituminous Coal Act of 1937, as amended. The Bituminous Coal Act ceases to be in effect at 12:01 a. m., August 24, 1943 (except as provided in section 13 of the Revised Statutes). It is essential that part of the information and data formerly filed with the Bituminous Coal Division and additional information and data with regard to coal other than Pennsylvania anthracite be filed with the Solid Fuels Administration for War. Information in regard to the distribution of Pennsylvania anthracite is presently obtainable from other sources.

Now, therefore, pursuant to the provisions of Executive Order No. 9332, (8 F.R. 5355), *It is ordered, That:*

§ 602.61 *Definitions.* (a) "C o a l" means all anthracite, except Pennsylvania anthracite; all bituminous, semi-bituminous and sub-bituminous coal having calorific value in British thermal units of seven thousand six hundred per pound or more and having a natural moisture content in place in the mine of less than 30 per centum and includes lignitic coal having calorific value in British thermal units of less than seven thousand six hundred per pound or having a natural moisture content in place in the mine of 30 per centum or more.

(b) "Person" means any person, partnership, association, business, trust, corporation, government corporation or agency, or organized group of persons.

(c) "Producer" means any person engaged in the business of mining coal at a mine producing 50 tons per day or more, or having rail or river shipping facilities regardless of tonnage produced.

(d) "Distributor" means any person who purchases and resells coal in not less than cargo or railroad car lots (or truck load tonnage equivalents of railroad car lots delivered to the same purchaser within five consecutive days) and shall include, without limitation, dock operators, lake and tidewater forwarders, cooperatives, and the operators of central washeries or preparation plants.

(e) The terms "size groups," "consumer use," "market area," and "producing district" shall have the same meaning, in regard to bituminous coal, as established by the various schedules, orders, rules, regulations and practices of the Bituminous Coal Division of the Department of the Interior as of August 23, 1943. The terms, "size groups" and "producing district," when used with reference to other than bituminous coal

shall have the meaning established by usage in the applicable industry.

§ 602.62 *Information and reports to be filed.* (a) Every producer and distributor of coal shall maintain appropriate records and shall file on or before the 1st day of each calendar month, commencing November 1, 1943, a report concerning the total tonnage of coal produced or shipped by said producer or distributor during the second preceding calendar month: *Provided, however,* That the report required to be filed November 1, 1943, shall cover the period July, August, September 1943. Such report shall be filed with the Office of the Solid Fuels Administration for War, Washington, D. C., on forms to be prescribed by it, and shall show, to the extent required by said forms, the total tonnage produced, shipped or otherwise disposed of from each mine, dumping pier, dock, central washery or preparation plant by size groups and the consumer use; in the case of railroad fuel and by-product coal, the name of the consumer; the method of movement, the applicable market area and the destination state or port to which shipments were made.

(b) Each person who directs or orders the dumping of coal into vessels for transshipment via lake or tidewater or for vessel or bunker fuel use shall maintain appropriate records and shall file with the Solid Fuels Administration for War, Washington, D. C. on or before the first day of each calendar month, commencing November 1, 1943, a copy of the cargo manifest, consist report or dumping sheet issued to him in regard to each shipment of coal made during the second preceding calendar month, and shall attach to and file with such copy, a statement, which may be a copy of the invoice covering the coal dumped, showing the producing district (where such district is District No. 7 or 8 there shall be an indication as to whether the coal involved was low or high volatile bituminous coal), tonnages by size groups, consumer use, destination of the vessel, and, if the coal involved is for railroad fuel use or is for by-product use, the name of the vendee or purchaser. On November 1, 1943 such persons shall file the information required by this subparagraph (b) in regard to each shipment of coal made during the months of July, August and September 1943, or, in lieu thereof, shall file a summary report of such shipments as may be required by the Solid Fuels Administration for War.

§ 602.63 *Approval of Bureau of the Budget.* The information and reports required to be filed by § 602.62 of this order are subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942 and regulations issued thereunder.

§ 602.64 *Penalties.* (a) Any person who wilfully violates any provision of this order, or who, by any act or omission, falsifies records kept or information furnished in connection with this order is guilty of a crime and upon conviction may be punished by fine or imprisonment.

(b) Any person who wilfully violates any provision of this order may be prohibited from delivering or receiving any material under priority control or such other action may be taken as is deemed appropriate.

This order shall become effective September 1, 1943.

(E.O. 9332, 8 F.R. 5355; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 23d day of August 1943.

H. A. GRAY,  
Deputy Solid Fuels  
Administrator for War.

[F. R. Doc. 43-13763; Filed, August 24, 1943;  
9:51 a. m.]

## TITLE 32—NATIONAL DEFENSE

### Chapter IX—War Production Board

#### Subchapter B—Executive Vice-Chairman

*AUTHORITY:* Regulations in this subchapter issued under P.D. Reg. 1, as amended, 6 F.R. 6639; W.P.B. Reg. 1, 7 F.R. 551; E.O. 9024, 7 F.R. 323; E.O. 8040, 7 F.R. 527; E.O. 9125; 7 F.R. 2719; sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176.

#### PART 933—COPPER

[Supplementary Order M-9-b, as Amended  
August 24, 1943]

§ 933.3 *Supplementary Order M-9-b—(a) Definitions.* For the purposes of this supplementary order:

(1) "Scrap" means all copper or copper-base alloy materials or objects which are the waste or by-product of industrial fabrication, or which have been discarded on account of obsolescence, failure or other reason.

(2) "Copper clad steel scrap" means all copper or copper-base alloy clad or coated steel materials or objects in which the cladding or coating amounts to 3% or more by weight and which are the waste or by-product of industrial fabrication, or which have been discarded on account of obsolescence, failure or other reason.

(3) "Copper" means copper metal which has been refined by any process of electrolysis or fire refining to a grade and in a form suitable for fabrication such as cathodes, wire bars, ingot bars, ingots, cakes, billets, wedge bars or other refined shapes, or copper shot or other forms produced by a refiner.

(4) "Copper base alloy" means any alloy, except one which contains 0.10% or more of metallic beryllium, in the composition of which the percentage of copper metal by weight equals or exceeds 40% of the total weight of the alloy.

(5) "Alloy ingot" means an alloy ingot or other shape for remelting which has been cast primarily from copper-base alloy or scrap.

(6) "Brass mill scrap" means that scrap which is a waste or by-product of industrial fabrication of products of brass mills.

(7) "Brass mill" means any person who rolls, draws or extrudes castings of

copper or copper-base alloys; it does not include a mill which rerolls, redraws or reextrudes products produced from refinery shapes or castings of copper or copper-base alloys.

(8) "Foundry" means any person casting copper or copper-base alloy shapes or forms suitable for ultimate use without rolling, drawing, extruding, or forging. The process of casting includes the removal of gates, risers and sprues, and sand blasting, tumbling or dipping, but does not include any further machining or processing.

(9) "Scrap dealer" means any person regularly engaged in the business of buying and selling scrap.

(10) "Public utilities" means any person furnishing telephone, telegraph or electric light and power services to the public or city, suburban or inter-city electrically operated public carrier transportation.

(b) Delivery or acceptance of scrap, copper clad steel scrap or alloy ingots. Notwithstanding any preference rating, no person shall deliver or accept the delivery of any scrap, copper clad steel scrap or alloy ingots except in accordance with the following directions:

(1) Brass mill scrap shall be delivered only to a scrap dealer or to a brass mill; a scrap dealer who accepts delivery of brass mill scrap shall in turn deliver such scrap only to a brass mill or another scrap dealer.

(2) No. 1 or No. 2 copper scrap shall be delivered only to a scrap dealer, or to a person specifically authorized by the War Production Board to receive deliveries of such quantities of No. 1 or No. 2 copper scrap.

(3) Copper clad steel scrap and unreloadable fired artillery cases, cartridge cases or bullet jackets, which have been manufactured from copper, copper-base alloys or copper clad steel, in excess of ten (10) pounds, shall be delivered only to persons specifically authorized or directed by the War Production Board to receive such deliveries.

(4) Scrap other than that specified in paragraphs (b) (1) through (3) above shall be delivered only to a scrap dealer, or to a person specifically authorized by the War Production Board to receive deliveries of such quantities of scrap.

(5) Alloy ingots shall be delivered only to a person specifically authorized by the War Production Board to receive deliveries of such quantities of alloy ingots.

(6) No person shall accept delivery of alloy ingots, copper clad steel scrap or unreloadable fired artillery cases, cartridge cases or bullet jackets, which have been manufactured from copper, copper-base alloys or copper clad steel, in excess of ten (10) pounds, except as specifically authorized by the War Production Board.

(7) A person other than a brass mill or dealer shall accept a delivery of scrap, other than that specified in paragraph (b) (6) above, only pursuant to a specific authorization of the War Production Board.

(8) A brass mill shall accept no delivery of scrap other than brass mill

scrap without the specific authorization of the War Production Board.

(9) A scrap dealer shall accept delivery of scrap only if:

(i) Such scrap is not of a kind or grade specified in paragraph (b) (6) above, and

(ii) Such scrap dealer shall during the preceding 60 days, have sold or otherwise disposed of scrap to an amount at least equal in weight to the scrap inventory of such scrap dealer on the date of acceptance of delivery of scrap (which inventory shall exclude such delivery), and

(iii) Such scrap dealer shall have filed with the Bureau of Mines, College Park, Maryland, by the 10th of each month, Form PD-249, and

(iv) Such scrap dealer shall have supplied such other information as the War Production Board may from time to time require.

(10) No person shall dispose of any material, the delivery of which he accepted as scrap, other than as scrap in the manner provided in this paragraph (b), except with the specific authorization of the War Production Board.

(c) Melting or processing of scrap, copper clad steel scrap or alloy ingots. (1) No person other than a brass mill shall melt or process scrap, copper clad steel scrap or alloy ingots, without the specific authorization of the War Production Board.

(2) No brass mill shall melt or process any scrap other than brass mill scrap, without the specific authorization of the War Production Board.

(3) Any person accepting a delivery of scrap, copper clad steel scrap or alloy ingots shall use such scrap, copper clad steel scrap or alloy ingots only for the purposes for which acceptance of such delivery is authorized by the War Production Board.

(d) Delivery to or acceptance of copper by foundries and makers of alloy ingots. Notwithstanding any preference rating, no person shall deliver any copper to a foundry or to a maker of alloy ingots, and no foundry or maker of alloy ingots shall accept any such delivery, except as specifically authorized by the War Production Board.

(e) Authorization—(1) Basis of authorization. Authorization to receive deliveries of, melt or process copper, scrap, copper clad steel scrap, or alloy ingots will be given by the War Production Board to assure the satisfaction of the most essential war requirements.

(2) Application for authorization. (i) Any person desiring to obtain an authorization, pursuant to this order, to accept the delivery of, melt or process copper, alloy ingot, scrap or more than ten (10) pounds of unreloadable fired artillery cases, cartridge cases or bullet jackets which have been manufactured from copper or copper base alloys, should make application on Form PD-59, Copper Division, War Production Board, by the 5th of each month.

(ii) Any person applying for an authorization to accept delivery of copper clad steel scrap or more than ten (10) pounds of unreloadable fired artillery cases, cartridge cases or bullet jackets which have been manufactured from copper clad steel must furnish the

War Production Board with a letter setting forth the kind and grade of material, the tonnage, the period during which deliveries must be received, and the end use into which products produced out of such material will go.

(3) Proof of authorization—(1) Refined copper. Any foundry or ingot maker authorized to purchase specified amounts of refined copper under the terms of an allocation certificate must submit the allocation certificate issued to him to his supplier at the time of placing his order. If the order is placed with a dealer, the allocation certificate must be surrendered to the dealer. If the order is placed with a refiner, the allocation certificate must be endorsed by the refiner, specifying the quantity of refined copper which the refiner will deliver.

(ii) Alloy ingot, scrap or copper clad steel scrap. Any person authorized to purchase specified amounts of alloy ingot, scrap or copper clad steel scrap may notify his supplier of his right to make a purchase by endorsing on, or attaching to, each contract or purchase order placed by him under the terms of the authorization, a certification in the following form signed by an official duly authorized for such purpose:

Certification: The undersigned purchaser hereby represents to the seller and to the War Production Board that he is entitled to purchase the items shown on this purchase order pursuant to Allocation Certificate, Serial No. \_\_\_\_\_ for the month of \_\_\_\_\_ and that receipt of these items, together with all other orders placed by him, will not result in his receiving more alloy ingot, scrap or copper clad steel scrap, than he has been authorized to receive for the month indicated by such purchase order pursuant to said Allocation Certificate.

Name of purchaser	Address
Signature and title of duly authorized official	Date

The person receiving the certification shall be entitled to rely on such certification unless he knows or has reason to believe it to be false. Each person supporting a purchase order by such a certification must maintain at his regular place of business all documents, including purchase orders and preference rating orders and certificates, upon which he relies as entitling him to make such purchases, segregated and available for inspection by representatives of the War Production Board, or filed in such manner that they can be readily segregated and made available for such inspection.

(f) Disposal of scrap or copper clad steel scrap, generated through fabrication or accumulated through obsolescence. No person shall use, melt, or dispose of any scrap or copper clad steel scrap generated in his plant through fabrication or accumulated in his operations through obsolescence, in any way other than by sale or delivery to a person authorized to accept such delivery, without the specific authorization of the War Production Board. In no event shall any person keep on hand more than thirty days' accumulation of scrap or copper clad steel scrap unless such accumulation aggregates less than one ton. All persons generating scrap or copper clad steel scrap through fabrication or accumulating scrap or copper clad steel scrap through obsolescence, in excess of

five hundred pounds in any calendar month, shall report on Form PD-226 on or before the 5th day of the following month, to the War Production Board, Ref: M-9-b, setting forth inventory of scrap and copper clad steel scrap at the beginning of the previous calendar month, accumulations and sales during such month, inventory at the end of such month and such other information as the War Production Board may request from time to time. Nothing herein contained shall prohibit any public utility from using its own operations wire or cable which has become scrap by obsolescence provided the lengths of such wire or cable are in excess of five feet and the quantity of such material so used by such public utility in any calendar month does not exceed five tons or such other amount as the War Production Board may specifically authorize.

(g) *Toll agreement.* No person shall deliver scrap, copper clad steel scrap or alloy ingots and no person shall accept same for converting, remelting or other processing under any existing or future toll agreement, conversion agreement or other form of agreement by which title remains vested in the person delivering the scrap, copper clad steel scrap or alloy ingots or causing the scrap, copper clad steel scrap or alloy ingots to be delivered, or which agreement is contingent upon return of processed material in any quantities, equivalent or otherwise, to the person delivering or causing the scrap, copper clad steel scrap or alloy ingots to be delivered, unless and until such an agreement shall have been approved by the War Production Board. Any person desiring to have such an agreement approved must furnish the War Production Board a letter setting forth the names of the parties to such agreement, the material involved as to kind and grade, the form of same, the estimated tonnage involved, the estimated rate of delivery, the length of time such agreement or other similar agreement has been in force, the duration of the agreement, the purpose for which the processed material is to be used, and any other pertinent data that would justify such approval.

(h) *Restriction on acceptance of copper-base alloys or castings, including alloy ingots, made therefrom.* No person shall knowingly accept delivery of copper-base alloys or castings, including alloy ingots, made therefrom, which have been obtained by melting and processing scrap or copper clad steel scrap delivered to a melter or processor contrary to the provisions of this order.

(i) *Specific directions.* The War Production Board may from time to time issue specific directions to any person as to the source, destination, amount, or grade of scrap, copper clad steel scrap or alloy ingots to be delivered, acquired or used by such person.

(j) *Reports.* In addition to the reports specified in this order, each ingot maker shall file by the 5th of each month, Form PD-751, Ingot Makers Report of Copper Base Alloy Ingot and each foundry shall file by the 5th of each month, Form PD-(9)-B, Copper Foundries: Monthly Report of Copper Base Alloy Ingot Inventory.

(k) *Violations.* Any person who willfully violates any provision of this order or who willfully furnishes false information to the War Production Board in connection with this order is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries or from processing or using material under priority control and may be deprived of priorities assistance.

(l) *Addressing of communications.* All applications, statements, or other communications filed pursuant to this order or concerning the subject matter hereof, should be addressed Copper Division, War Production Board, Ref: M-9-b, Washington 25, D. C.

Issued this 24th day of August 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-13307; Filed, August 24, 1943;  
11:33 a. m.]

**PART 1029—FARM MACHINERY AND EQUIPMENT AND ATTACHMENTS AND REPAIR PARTS THEREFOR**

[Limitation Order L-257 as Amended August 24, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of critical materials entering into the manufacture of farm machinery and equipment and repair parts therefor, for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

**§ 1029.15 Limitation Order L-257—**

(a) *What this order does.* This order describes the rules governing the manufacture of farm machinery and equipment and repair parts for sale in the continental United States and possessions. (Manufacture for export is covered by Order L-257-a.) To aid manufacturers in planning a continuous production cycle, it is the intention that this will be the basic order from year to year. However, it is expected that a new schedule of quota percentages will be issued as a part of the order each year for the "current quota period" starting July 1 of that year, and this will become the "applicable schedule" for that period. For example, the applicable schedule for the period July 1, 1943 to June 30, 1944, is Schedule A; for the following twelve-month period starting July 1, 1944, the new applicable schedule might be called Schedule B, etc. In order that producers may plan their production and order materials in advance, they may assume that the schedule in effect at any particular time will continue into the next "current quota period", until such time as a new schedule is issued. At present, there is no quota limitation on repair parts.

In addition to quota and other limitations on manufacture, this order also has rules on the filing and approval of pro-

duction schedules, covering machinery and equipment (both farm and non-farm) and repair parts. Producers affected must stick to their schedules, with certain exceptions, so that the various programs, both farm and non-farm, can be met on time.

(b) *Definitions.* For the purpose of this order (and any orders supplementary hereto, unless otherwise indicated):

(1) "Producer" means any person, other than a supplier, to the extent that he is actively engaged in the current manufacture (in the United States) of farm machinery and equipment or of repair parts for farm machinery and equipment, but does not include any person who did not manufacture any farm machinery and equipment or repair parts in 1940 or 1941.

(2) "Small producer" means any producer whose total net sales (including exports and sales by affiliates) of all products did not exceed \$100,000 during the calendar year 1941; and includes any other producer who has been classified by the Smaller War Plants Corporation as a "smaller, distressed producer" and is specifically designated as such for the purpose of this order by the War Production Board, on such terms and conditions as may be proper.

(3) "Manufacture" means to put into process, machine, fabricate, or otherwise alter materials by physical or chemical means.

(4) "Supplier" means any person engaged in the manufacture (for sale to a producer in the United States) of materials, parts, assemblies or subassemblies to be physically incorporated into farm machinery and equipment or repair parts manufactured by such producer, or to be resold by such producer as repair parts.

(5) "Machinery and equipment" means agricultural machinery, mechanical equipment and implements (including all attachments used in conjunction therewith) of the types ordinarily manufactured for farm use, and listed on the applicable schedule attached hereto.

(6) "Farm use" means use for the production or care of crops, livestock, livestock products, or other produce on a farm (or elsewhere in the case of poultry), or use for any civilian purpose with respect to horseshoes, muleshoes, oxen-shoes, and harness hardware.

(7) "Farm machinery and equipment" means machinery and equipment which is manufactured specifically for farm use, including irrigation and drainage equipment (excluding tile), horseshoes, muleshoes, oxen-shoes, harness hardware, and water well casing (fabricated by other than pipe mills); but excluding repair parts, and also excluding all of the following: tracklaying type tractors, fencing, poultry netting and wire, wire fencing, bale ties or straps, oil well casing and water pipe, grain bins and corn cribs, water storage tanks, nails (all kinds), and sundry hardware (including hand tools, chains, barn door track, pulleys, scales, and similar items not specified on the applicable schedule).

(8) "Non-farm machinery and equipment" means machinery and equipment,



as defined in paragraph (b) (5) above, which is manufactured pursuant to rated orders for any purpose other than farm use.

(9) "Attachment" for machinery and equipment means a supplementary appliance which may be added to an otherwise complete machine to extend the utility of such machine.

(10) "Repair parts" means all types of replacement parts considered separately or as assemblies which are manufactured for use and used in the repair and maintenance of "farm machinery and equipment" and shall include plow shares and shapes, and water pump cylinders. No item listed on the applicable schedule shall be deemed a repair part.

(11) "Base production" means the weight of a producer's total manufacture in the United States of any item of farm machinery and equipment for sale in the United States during either the calendar year 1940 or 1941, in whichever year such weight was the greater.

(12) "United States" means the forty-eight states, the District of Columbia, Alaska, Hawaii, Puerto Rico, the Virgin Islands, and all other territories and possessions of the United States.

(13) "Current quota period" means the twelve-month period which starts July 1 of any year and ends June 30 of the following year, as identified on the applicable schedule.

(14) "Applicable schedule" means the particular schedule relating to a current quota period, and fixing manufacturing quotas (for sale in the United States) for each item listed for that period.

(c) Restrictions on production for domestic farm use—(1) Manufacturing quotas. During any current quota period, no producer shall manufacture, for sale in the United States, more of any item of farm machinery and equipment (by weight) than his quota for that item. This quota is figured by taking the percentage shown for the item on the applicable schedule, and multiplying it by his base production of the item. Exceptions to this general rule are stated in paragraph (d). Special restrictions are set forth in subparagraph (2) below and in paragraph (f).

(2) Special restrictions. (i) No person who is not a "producer" has any quota. However he may manufacture farm machinery and equipment and repair parts of an aggregate value up to \$2,500 during any current quota period.

(ii) No item which is not provided for in the applicable schedule shall be manufactured as "farm machinery and equipment" for sale in the United States.

(iii) No producer shall manufacture, for sale in the United States, any item of farm machinery and equipment requiring rubber tires, except upon specific authorization in writing of the War Production Board. Application for this authorization may be made on form WPB 3033.

(iv) No producer who is not a "small producer" shall manufacture, for sale in the United States, any item of farm machinery and equipment except to the extent listed on an approved production schedule under paragraph (e).

(3) Adjustments in quotas. The War Production Board may, by specific written directions or authorizations issued to any producer or other person affected by this order, increase or decrease any quota or authorized use of materials; and may transfer any portions of quotas between producers, taking into account the amount and weight of materials to be used, the need for particular items at the time required in particular areas, the labor and transportation situation in the manufacturing areas involved, and such other factors as may be proper.

(d) Exceptions—(1) No quota for repair parts. Producers may manufacture repair parts for sale in the United States without any restrictions as to quota. However, they must comply with paragraph (e) with respect to production schedules.

(2) Bracketed items. Wherever, in an applicable Schedule, two or more items are bracketed together, the producer must apply the individual percentages to his base production of each item in the bracket and add up the various weights. This total permissible weight may then be distributed among all or any one or more of the items in that bracket as he chooses (regardless of the individual quota percentages).

(3) Attachments may be lumped together. Any producer may choose not to follow the individual quota percentages for items of attachments as indicated on the applicable schedule, and instead manufacture not more than an aggregate of 75% of his total base production of all attachments. This total may be distributed among all or any one or more of the attachments made by him. However, once this choice is made, the producer must stick to it for all attachments to be made during the current quota period.

(4) Small producers. Any "small producer" may use the quota percentage "100%" instead of the quota percentage listed on any applicable schedule for any item or items which he makes, but only to the extent that the weight of his total manufacture of all items of farm machinery and equipment during the current quota period does not exceed, in the aggregate, 100% of his base production of these items. In addition, small producers do not have to comply with certain provisions of this order with respect to production schedules or other reports, as stated in subparagraph (c)

(2) (iv) and paragraphs (e) and (k). However, this does not relieve them from complying with all CMP Regulations and procedures.

(5) Production before or after current quota periods—(i) Advance planning of production. Before the beginning of any current quota period, producers may plan their production, order materials and start initial fabrication in accordance with the applicable schedule for the coming period. For this purpose, until such time as a new applicable schedule is issued, it may be assumed that the schedule currently in effect will apply for this next period. In other words, the schedule in effect is always the "applicable schedule" unless and until displaced by a new schedule.

(ii) Carry-over of uncompleted portions of quotas. Any portions of quotas for sale in the United States under an applicable schedule (including all amendments, appeals and specific authorizations) which are not completely manufactured by the end of the current quota period, may be carried over and added to the corresponding quotas of the next current quota period but only to the extent that they can be completed by July 31 of this next period. However, uncompleted quotas (domestic, and those under Schedule B-6) under Order L-170 may be carried over as explained above for completion any time before June 30, 1944.

(6) Substitute materials. Any person may manufacture for sale in the United States the following items, without regard to the restrictions of this order, if they are made from the substitute materials listed:

Bee hives,  
Farm gates,  
Feed trucks,  
Grit boxes,  
Hog troughs,  
Laying nests,  
Livestock feeders,  
Milk stools,  
Poultry feeders,  
Poultry waterers.

These items are unrestricted only if they are made entirely (except for nails and essential strappings and fastenings, and except for doors in the case of livestock feeders) from any one or more of the following materials:

Glass or other ceramic products,  
Plain concrete,  
Fibre board,  
Wood fibre products.

Plywood (produced with binder or adhesive not restricted by Conservation Order M-26 or any other applicable M or L order).

Gum and other hardwood lumber.

Softwood lumber (subject to the restrictions of Conservation Order M-208 and all other applicable M and L Orders).

Some of the items listed above are also given quotas on the applicable schedule. These quotas apply only to the extent that the items are to be made from iron or steel.

(7) Substitution for critical materials encouraged. If the weight of any item of farm machinery and equipment manufactured by a producer has been or will be increased by his substituting for more critical materials any of the materials listed above in subparagraph (d) (6), he may still manufacture in any current quota period the number of units which would have been within his domestic quota before making the substitution. Also, a producer may apply for additional quota for any item in which he can substitute these materials entirely for more critical materials.

(8) Assignments of quota. All assignments of quota specifically authorized by appeal under Limitation Order L-170 for the period starting November 1, 1942, or under this Order L-257, are re-authorized for each current quota period. The assignee, in figuring his additional quota, must take the percentage on the applicable schedule for each item transferred and multiply it by the assignor's base production of that item. The assignor's quota is, to that extent, revoked.

(e) Production schedules—(1) AA-2 for purpose of scheduling production. Producers may schedule their production of items of farm machinery and equipment and repair parts as if the orders for these items bore a rating of AA-2.

(2) Production schedules must be filed: exemption for "small producers." With respect to each item of machinery and equipment (both farm and non-farm) and repair parts, each producer must file a production schedule on Form WPB-3053, listing the quantities he plans to have available for shipment (within his quota) to various classes of customers, in accordance with the instructions on the form. This production schedule is deemed approved as filed, unless the producer is notified in writing to the contrary by the War Production Board. "Small producers" do not have to file this form.

(3) Items on approved schedule to be available for shipment; changes in schedule. Each producer must have available for shipment each month to each class of customer the quantities of each item and of repair parts as indicated on his approved schedule. However, he may complete (within his approved total) more than his schedule in any month. He may also, if necessary, delay completion of any quantities

scheduled for any class of customer for any month up to the last day of the next month. Any other change in an approved schedule must be reported on Form WPB-3181 and the change will be deemed approved as filed, unless the producer is notified in writing to the contrary by the War Production Board.

(4) Deliveries for farm use protected. A producer must deliver all quantities of items listed on an approved schedule (WPB-3053 or WPB-3181) for farm use and for export without regard to preference ratings, unless otherwise specifically directed in writing by the War Production Board. Small producers who have not filed Form WPB-3053 may deliver items for farm use and for export without regard to any orders bearing preference ratings of AA-2x or lower.

(f) Further restrictions—(1) Items containing iron and steel. No person shall manufacture, from iron or steel (excluding screws, nails, rivets, bolts, wire, strapping or small hardware for joining or other similar essential purposes), any of the following items:

Bee hives  
Milk stools  
Tongues  
Silos (except for ladders, chutes and platforms)  
Cattle stalls  
Stanchions  
Stock pens  
Marking poles  
Thills  
Farm gates  
Boxes for farm wagons and trucks (not motor trucks)  
Farm wagon gears  
Farm trucks (not motor trucks);

Provided however, That nothing in this paragraph (f) (1) shall be deemed to prevent the manufacture of:

(i) Cattle stalls, stanchions, stock pens, marking poles, or farm gates from re-rolled rail steel, plus strappings and essential hardware (and plus necessary wire in the case of farm gates), or  
(ii) Farm wagon gears or farm trucks from re-rolled rail and axle steel, "top cuts," or Bessemer process steel, plus iron castings and wheels, and plus not more than 100 pounds of open-hearth process steel per item.

(2) Restrictions on sale for domestic use. Subject to such directions as may be issued from time to time as to rationing control by the War Food Administrator, no person shall sell any item of new farm machinery and equipment (except poultry equipment, horseshoes, muleshoes, oxenshoes, and harness hardware) which was manufactured for sale in the United States, and which he knows or has reason to believe will not be used in the hands of the ultimate consumer for farm use, except to fill a contract or purchase order bearing a preference rating of AA-4 or higher.

(g) Excess inventory. Any producer may sell to any other producer any material in his inventory which is in excess of his requirements for the items of farm machinery and equipment and repair parts authorized to be manufactured under the provisions of this order. Such sales shall be expressly permitted within

the terms of paragraph (c) (3) of Priorities Regulation No. 13.

(h) Conservation of materials. (1) If any other order of the War Production Board limits the use of critical materials in the manufacture of farm machinery and equipment, non-farm machinery and equipment, or repair parts to a greater extent than this order does, the other order shall govern unless it states otherwise.

(2) The War Production Board may also from time to time issue special orders requiring standardization, simplification, substitution, or other measures to save critical materials in the manufacture of farm machinery and equipment, non-farm machinery and equipment, or repair parts. One order of this kind is L-170-a, restricting the use of copper.

(i) Violations. Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact, or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(j) Appeals. Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

NOTE: Former paragraph (k) and (l) redesignated (m) and (n).

(k) Reports. Each producer who is not a "small producer" must file by the 10th day of each month a report on Form WPB-1768 of his production during the previous month in accordance with the accompanying instructions. The first report must be filed on or before September 10, 1943. In addition, if any serious production trouble or delay develops between dates of filing the above Form WPB-1768, the producer should immediately advise the War Production Board, including the following information where applicable:

(1) The name of any material or component part, the non-delivery of which is, or will be, materially retarding his production.

(2) The name of the manufacturer or supplier with whom the order was placed.

(3) Producer's purchase order number.

(4) Date of the order.

(5) Supplier's order number.

(6) Promised date of delivery.

(l) Applicability of regulations. This order and all transactions affected by it are subject to all present and future regulations of the War Production Board, unless this order states otherwise.

(m) Order L-170. Except as otherwise stated in this order, it supersedes Limitation Order L-170 as of July 1, 1943. Supplementary Limitation Order L-170-a shall remain in full force and effect until revoked or modified.

(n) Communications. All communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Farm Machinery and Equipment Division, Washington 25, D. C. Ref: L-257.

NOTE: The reporting requirements in paragraphs (k), (c) (2) (iii), (e) (2) and (e) (3) have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 24th day of August 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

#### SCHEDULE A TO L-257

APPLICABLE SCHEDULE FOR CURRENT QUOTA PERIOD  
JULY 1, 1943 TO JUNE 30, 1944, INCLUSIVE

#### Manufacturing Quotas for Items of Farm Machinery and Equipment for Domestic Farm Use

NOTE: Items 272 (k), (l), 292 (l), (j), (k) bracketed; items 50-53, 108-1081 rebracketed; Schedule caption, Group 15 caption, Group 15, Division 1 caption amended August 24, 1943.

Producers are not restricted by any quota percentage in the manufacture of repair parts.

Quotas for new machinery and equipment for farm use are expressed as a percentage of the net shipping weight of each item produced during 1940 or 1941, whichever was higher. In accordance with paragraph (d) (2), production of "bracketed items" may be distributed among all or any one or more items included in the particular bracket, so long as the total weight does not exceed that determined by applying the various quota percentages to the items in the particular bracket.

"Small producers" may use the quota percentage of 100% for any item or items they manufacture, so long as their aggregate production of all items does not exceed 100% of their total 1940 or 1941 production, whichever was higher, as provided in paragraph (d) (4).

Quotas for each item of attachments, unless election is made to lump together all attachments pursuant to paragraph (d) (3), are expressed as the same percentage as that listed for the machine with which the particular attachment is used (except engines).

Any item of farm machinery and equipment not provided for in this Schedule A is not to be manufactured for sale in the United States, unless specifically exempted under the order. Moreover, any manufacture of an item in excess of the percentages established in this Schedule A, even though it may be scheduled for production under paragraph (e), is permitted only if specifically authorized pursuant to paragraph (c) (3) or on appeal.

#### GROUP 1: PLANTING, SEEDING, AND FERTILIZING MACHINERY

##### Division 1: Planters (Horse and Tractor Drawn)

Item No.	Quota Percent
1 One row, one horse, corn.....	81
2 One row, one horse, corn and cotton, peanut and bean.....	64
2a One-horse legume planters for middles (Southern).....	64
3 One row, two horse, corn and cotton.....	75
3a Vetch.....	75
4 Two row, corn.....	77
5 Two row, corn and cotton.....	100
6 Three row and over, corn.....	65
7 Three row and over, corn and cotton.....	100

#### GROUP 1—Continued

##### Division 2: Planters (Tractor Mounted)

Item No.	Quota Percent
8 One row, corn.....	100
9 One row, corn and cotton.....	53
10 Two row, corn.....	94
11 Two row, corn and cotton.....	61
12 Three row and over, corn.....	100
13 Three row and over, corn and cotton.....	100

##### Division 3: Potato Planters (Horse and Tractor Drawn)

14 One row.....	100
14a Two row and larger.....	100

##### Division 4: Transplanters

15 One row, horse or tractor drawn.....	126
15a Two row, horse or tractor drawn.....	126
15b Two row, tractor mounted.....	126
15c Celery, self propelled.....	126
15d Onion set, horse or tractor drawn.....	126
16 Hand, wheel type.....	112

##### Division 5: Listers with Planting Attachments (Horse or Tractor Drawn)

17 One row.....	0
18 Two row.....	82
19 Three row and over.....	64

##### Division 6: Listers with Planting Attachments (Tractor Mounted)

20 One row.....	78
21 Two row.....	62
22 Three row and over.....	100

##### Division 7: Peet and Bean Drills or Planters

23 Four row, horse or tractor drawn.....	90
23a Six row, horse or tractor drawn.....	90
23b Four row, tractor mounted.....	90
23c Six row, tractor mounted.....	90

##### Division 8: Grain Drills

24 One horse, plain or fertilizer, three to seven disc or run.....	100
25 Fertilizer, 14 run and under, horse or tractor drawn.....	93
25a Fertilizer, over 14 run, horse or tractor drawn.....	93
26 Plain, 14 run and under, horse or tractor drawn.....	73
26a Plain, over 14 run, horse or tractor drawn.....	73
26b Press drill, horse or tractor drawn.....	73
26c Plain drill, lister type, horse or tractor drawn.....	73

##### Division 9: Broadcast Seeders

27 Wheeled, horse or tractor drawn.....	52
28 End-gate.....	68
29 Hand (wheelbarrow and other).....	49

##### Division 10: Garden Planters

30 Hand, wheel type.....	65
31 Horse or tractor drawn; one row or multiple row (one row is a unit).....	78

##### Division 11: Fertilizer Distributors

32 One row, horse drawn.....	75
32a Two row, horse drawn.....	75
32b Two row, tractor mounted.....	75
32c Broadcast, horse or tractor drawn.....	75
32d Hand propelled.....	72

##### Division 12: Lime Spreaders (Sowers)

33 Wheeled hopper type sower, horse or tractor drawn.....	61
34 End-gate type.....	61
34a Trailer type.....	61
35 Truck body type.....	100

##### Division 13: Manure Spreaders and Loaders

36 Four wheel, horse or tractor drawn.....	56
37 Two wheel, tractor drawn.....	51
37a Manure loaders.....	100

##### Division 14: Other Planting, Seeding and Fertilizing Machinery

38 Limestone pulverizers (farm size, under 14").....	49
39 Uni-carrier, chassis or rear tool bar (short and long) for mounting tools, pull type.....	80
39a Tool frame, attached or rear tool bar (short and long) for mounting tools on tractor.....	80
40 Potato cutter.....	100
40a.....	80
40b.....	80
41 Attachments for all items in Group 1 expressed in terms of net shipping weight in pounds.....	(1)

#### GROUP 2: PLOWS AND LISTERS

##### Division 1: Moldboard Plows (Horse Drawn)

42 Walking, one horse, steel bottom.....	70
43 Walking, one horse, chilled bottom.....	57
44 Walking, two horse and larger.....	62
45 Sulky.....	90
46 Gang, two bottom and larger.....	90

1 Percentage quota is the same as that listed for the machine with which the attachment is used, unless option is chosen as provided for in paragraph (d) (3) of the order (L-257).

#### GROUP 2—Continued

##### Division 2: Moldboard Plows (Tractor Drawn or Mounted)

Item No.	Quota Percent
47 One bottom, tractor drawn.....	35
47a One bottom, two-way (one furrow) tractor drawn.....	35
48 Two bottom, tractor drawn.....	60
48a Two bottom, two-way (two furrow) tractor drawn.....	60
49 Three bottom, tractor drawn.....	62
50 Four bottom, tractor drawn.....	31
51 Five bottom and larger, tractor drawn.....	41
52 One bottom, tractor mounted.....	14
52a One bottom, two-way (one furrow) tractor mounted.....	35
53 Two bottom, tractor mounted.....	62

##### Division 3: Disc Plows (Horse Drawn)

54 Single disc, and larger.....	0
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##### Division 4: Disc Plows (Tractor Drawn)

55 One disc.....	0
56 Two disc.....	78
57 Three disc.....	71
58 One disc—direct connected (one wheel type).....	73
59 Two disc—direct connected (one wheel type).....	61
59a Three disc—direct connected (one wheel type).....	61
59b Three disc, tool bar type.....	61
60 Four disc, tractor drawn.....	63
61 Five disc, tractor drawn.....	61
62 Six disc and larger, tractor drawn.....	64

##### Division 5: One-way Disc Plows or Tillers

63 Under five feet.....	78
63a Five foot and under eight foot.....	68
63b Eight foot and over.....	68

##### Division 6: Listers (Horse or Tractor Drawn) (Middlebushers Without Planting Attachments)

64 One row, horse or tractor drawn.....	77
65 Two row, horse or tractor drawn.....	100
66 Three row and larger, horse or tractor drawn.....	0

##### Division 7: Listers (Tractor Mounted) (Middlebushers Without Planting Attachments)

67 One row, tractor mounted.....	12
68 Two row, tractor mounted.....	23
69 Three row and larger, tractor mounted.....	48
69a Three row ridgers.....	85

##### Division 8: Sub-Soil Plows

70 Horse drawn.....	60
71 Tractor drawn.....	60
72 Tractor mounted.....	60

##### Division 9: Plow Stocks

73 Single or double stocks.....	60
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##### Division 10: Other Plows and Listers

74 Basin Tiller.....	100
75 Cane row plows.....	100
76.....	60
76a.....	60

##### Division 11: Attachments

77 Attachments for all items in Group 2 expressed in terms of net shipping weight in pounds.....	(1)
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#### GROUP 3: HARROWS, ROLLERS, PULVERIZERS AND STALK CUTTERS

##### Division 1: Harrows

78 Spike tooth harrow sections (steel), horse or tractor drawn.....	60
78a Spike tooth harrow sections (wood), horse or tractor drawn.....	60
79 Spring tooth harrow sections (steel), horse or tractor drawn.....	60
79a Spring tooth harrow sections (wood), horse or tractor drawn.....	60
80 Disc harrows, reversible, row disc, horse or tractor drawn.....	60
80a Disc harrows, single, six foot and under (horse drawn type).....	60
80b Disc harrows, single over six foot (horse drawn type).....	60
80c Disc harrows, tandem attachment for horse drawn type.....	60
80d Disc harrows, single and tandem, six foot and under, tractor drawn.....	60
80e Disc harrows, single and tandem, over six foot and under eleven foot, tractor drawn.....	60
80f Disc harrows, tandem "heavy duty" "cover crop", "wide disc spacing" tractor drawn.....	60
80g Disc harrows, wide disc harrows over ten foot, tractor drawn.....	60
80h Disc harrow, offset—tractor drawn.....	60
80i Disc harrows, brush and bog, tractor drawn.....	60
81 Disc harrows, tractor mounted and tool bar type.....	60
81a Cane disc harrows, tractor mounted and tool bar type.....	100



## GROUP 3—Continued

Item No.	Division 2: Smooth Land Rollers	Quota Percent
82	Smooth land rollers, not including lawn rollers.....	61

## Division 3: Soil Pulverizers and Packers

83	Soil pulverizers and packers, single.....	57
83a	Soil pulverizers and packers, double.....	57

## Division 4: Stalk Cutters

84	Stalk cutters, horse drawn.....	63
84a	Stalk cutters, tractor drawn.....	63
84b	Weed cutters (rotary blade type).....	63
84c	Cane stubble shavers.....	85

## Division 5: Ridge Busters

85	Ridge busters, horse or tractor drawn.....	160
86	Ridge busters, tractor mounted.....	160

## Division 6: Other Harrows and Rollers

87	Combination harrow and rollers.....	91
87a	Seed-bed row rollers.....	72
88	Field Markers.....	60
89	.....	60
89a	.....	60

## Division 7: Attachments

90	Attachments for all items in Group 3 expressed in terms of net shipping weights in pounds.....	(7)
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## GROUP 4: CULTIVATORS AND WEEDERS

## Division 1: Cultivators (Horse and Tractor Drawn)

91	One horse (all types), including hillers, disc hoes, shovel plows, little joes, and similar type harrows and rotary harrows.....	45
92	One row, walking, two horse.....	79
93	One row, riding, two horse, shovel type.....	60
93a	One row, riding, two horse, disc type.....	90
93b	Two row, riding, horse drawn, shovel or disc type.....	60
94	One row, riding, two horse, listed corn type.....	79
94a	Two row, horse drawn, listed corn type.....	79
94b	Two row, tractor drawn, listed corn type.....	100
94c	Three row, tractor drawn, listed corn type.....	100
94d	Four row, tractor drawn, listed corn type.....	100
94e	Five row, tractor drawn, listed corn type.....	100
95	Beet and bean cultivators, two row, horse drawn.....	50
95a	Beet and bean cultivators, four row, horse or tractor drawn.....	50
95b	Two row wing and disc hoes and hillers, potato, horse or tractor drawn.....	144
95c	Two row wing and disc hoes and hillers, potato, tractor mounted.....	144
96	Field cultivators, spring tooth type, seven foot and under.....	70
96a	Field cultivators, spring tooth type, over seven foot.....	70
96b	Field cultivators, stiff tooth type, seven foot and under.....	70
96c	Field cultivators, stiff tooth type, over seven foot.....	70
96d	Chisels and orchard cultivators, tractor drawn.....	45
97	Hand cultivators, wheel type, including hand plows.....	74

## Division 2: Cultivators (Tractor Mounted)

98	One row.....	21
99	Two row, shovel type.....	71
99a	Two row, listed corn type.....	71
99b	Two row, potato cultivator.....	100
99c	Two row, disc type.....	71
100	Three and four row, shovel type.....	116
101	Narrow row, four and six row (beet, bean, and vegetable cultivators).....	94
101a	Combination cultivators and planters, two row, corn and cotton.....	60
101b	Two row, cane cultivators.....	100
101c	Three row, cane cultivators.....	100
101d	Field cultivator, mounted and tool bar type.....	70
101e	Chisel and orchard cultivators, mounted and tool bar type.....	45
(See also item 95c)		

## Division 3: Rotary Hoes

102	Rotary hoes, horse or tractor drawn.....	85
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## Division 4: Weeders

103	Rod weeders, horse or tractor drawn.....	60
103a	Rod weeders, tractor mounted and tool bar.....	60
104	Tooth weeders, one horse, walking.....	150
104a	Tooth weeders, two horse, riding.....	150
104b	Tooth weeders, tractor drawn.....	150
104c	Tooth weeders, tractor mounted.....	150

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## GROUP 4—Continued

Item No.	Division 5: Other Collectors and Weeders	Quota Percent
105	Beet thinners.....	129
105a	Vegetable weeder and thinner.....	122
105b	Cyclone weeder.....	65
105c	.....	65
105d	.....	65

## Division 6: Attachments

107	Attachments for all items in Group 4 expressed in terms of net shipping weight in pounds.....	(7)
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## GROUP 5: SPRAYERS, DUSTERS, AND ORCHARD HEATERS

## Division 1: Power Sprayers

108	Market garden type, under six g. p. m.....	63
108a	Orchard type, six to ten g. p. m. auxiliary engines.....	63
108b	Orchard type, six to ten g. p. m. power take-off.....	63
108c	Orchard type, eleven to twenty g. p. m. auxiliary engines.....	63
108d	Orchard type, eleven to twenty g. p. m. power take-off.....	63
108e	Orchard type, over twenty g. p. m. auxiliary engines.....	63
108f	Orchard type, over twenty g. p. m. power take-off.....	63
108g	Field or row crop type, six to ten g. p. m. auxiliary engines.....	63
108h	Field or row crop type, six to ten g. p. m. power take-off.....	63
108i	Field or row crop type, eleven to twenty g. p. m. auxiliary engines.....	63
108j	Field or row crop type, eleven to twenty g. p. m. power take-off.....	63
108k	Field or row crop type, over twenty g. p. m. auxiliary engines.....	63
108l	Field or row crop type, over twenty g. p. m. power take-off.....	63
108m	Field or row crop type, tractor mounted.....	100
108n	Propeller blast type.....	100
109	Traction sprayers, under six g. p. m.....	100
109a	Traction sprayers, six g. p. m. and over.....	100

## Division 2: Hand Sprayers with Tank, Barrel, Knapsack, etc. with Complete Equipment (Capacity 1 qt. or less than six gallons)

110	Compressed air.....	70
111	Knapsack, self-contained.....	63
112	Trombone pump type.....	63
113	Bucket, pump type, single cylinder.....	73
114	Bucket, pump type, double cylinder.....	70
115	Atomizing, single section (1 qt. and larger capacity).....	62
116	Atomizing, continuous (1 qt. and larger capacity).....	64

## Division 3: Hand Pump Sprayers (Capacity Six Gallons or More)

117	Barrel pump sprayer.....	87
118	Wheelbarrow sprayer.....	75

## Division 4: Spray Pumps, Power

119	Spray pumps, power.....	104
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## Division 5: Weed and Pear Burners

120	Weed and pear burners.....	40
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## Division 6: Dusters

121	Power duster, auxiliary engines.....	123
121a	Power duster, power take-off.....	123
122	Traction dusters.....	70
123	Hand dusters, rotary type.....	74
123a	Hand dusters, plunger type.....	74

## Division 7: Orchard Heaters

124	Orchard heaters.....	73
124a	Wind frost protection machines.....	73

## Division 8: Attachments

125	Attachments for all items in Group 5 expressed in terms of net shipping weight in pounds.....	(7)
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## GROUP 6: HARVESTING MACHINERY

## Division 1: Combines (Harvester-Threshers)

126	Width of cut, 6 ft. and under, auxiliary engines.....	57
126a	Width of cut, 6 ft. and under, power take-off.....	57
127	Width of cut, over 6 ft. including 10 ft.....	69
128	Width of cut, over 10 ft.....	67
128a	Windrowers or swathers.....	73

## GROUP 6—Continued

Item No.	Division 2: Grain and Rice Binders	Quota Percent
129	Grain binders (ground drive).....	42
130	Grain binders (power take-off drive).....	54
131	Rice binders.....	58

## Division 3: Corn Binders

132	Corn binders, ground drive.....	70
132a	Corn binders, power take-off.....	73
132b	Corn harvester, sled and wheel type.....	75

## Division 4: Corn Pickers

133	One row, mounted type.....	110
134	Two row, mounted type.....	76
135	One row, pull type.....	73
135a	Two row, pull type.....	108

## Division 5: Field Ensilage Harvesters—Row Type

137	Field Ensilage Harvesters (row type).....	100
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## Division 6: Potato Diggers and Pickers

138	Walking plow type.....	114
139	One row, ground drive.....	133
139a	One row, power take-off.....	123
139b	Two row, power take-off.....	125
139c	Potato pickers.....	135

## Division 7: Ecan Cutters or Pullers

140	Two row, horse or tractor drawn.....	85
140a	Four row, horse or tractor drawn.....	85

## Division 8: Sugar Beet and Cane Harvesting Equipment

141	Beet lifters, horse or tractor drawn.....	27
141a	Beet lifters, tractor mounted.....	27
141b	Beet harvesters.....	150
141c	Beet loaders.....	150
141d	Cane harvesters.....	85
141e	Cane loaders.....	150

## Division 9: Other Harvesting Equipment

142	Cotton harvesters, stripper type.....	170
142a	Cotton pickers.....	150
143	Vegetable pullers and pickers.....	150
143a	Green pea harvesters.....	150
143b	Squash harvesters.....	150
144	One row soybean harvesters.....	80
144a	One row soybean harvesters or strippers.....	80
144b	Flax pullers.....	100
144c	Hop pickers.....	67
144d	Peanut diggers.....	150
144e	.....	60
144f	.....	60

## Division 10: Attachments

145	Attachments for all items in Group 6 expressed in terms of net shipping weight in pounds.....	(7)
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## GROUP 7: HAYING MACHINERY

## Division 1: Mowers

146	Horse or tractor drawn (ground drive).....	49
147	Tractor mounted or semi-mounted (power take-off drive).....	69

## Division 2: Rakes

148	Sulky (dump).....	47
149	Side delivery (incl. comb. side rakes and tedders).....	84
150	Sweep (horse).....	50
150a	Sweep (tractor mounted).....	50

## Division 3: Hay Loaders

151	Hay loaders.....	67
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## Division 4: Stackers

152	Stationary.....	80
152a	Combination stacker-loaders.....	145

## Division 5: Pick-up hay balers and bale loaders

153	Pick-up hay baler—power take-off.....	79
153a	Pick-up hay baler—auxiliary engine.....	73
153b	Field bale loader.....	150

## Division 6: Other Haying Machinery

154	Field hay choppers and harvesters.....	150
155	.....	60
156	.....	60

\*Percentage quota is the same as that used for the machine with which the attachment is used, unless option is chosen as provided for in Paragraph (d) (3) of the Order (L-237).

## GROUP 7—Continued

Item No.	Division 7: Attachments	Quota Percent
167	Attachments for all items in Group 7 expressed in terms of net shipping weight in pounds.....	(1)

## GROUP 8: MACHINES FOR PREPARING CROPS FOR MARKET OR USE

## Division 1: Stationary Threshers—Grain, Rice and Alfalfa

168	Threshers, width of cylinder under 23 inches.....	65
169	Threshers, width of cylinder 23 inches and over.....	47

## Division 2: Stationary Pea and Bean Threshers

160	Stationary pea and bean threshers.....	132
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## Division 3: Peanut Pickers

161	Peanut pickers.....	61
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## Division 4: Ensilage Cutters—Silo Fillers

162	Ensilage cutters (Silo Fillers).....	69
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## Division 5: Feed Cutters—Hand and Power

163	Feed cutters, hand and power.....	80
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## Division 6: Corn Shellers

164	Corn shellers (hand).....	43
165	Spring (2, 4, 6 and 8 hole).....	0
166	Cylinder (160 bu. and under).....	53
167	Cylinder (over 160 bushels).....	45

## Division 7: Corn Huskers and Shredders

168	Combination corn huskers-shredders.....	74
169	Corn huskers.....	41
170	Corn shredders.....	0

## Division 8: Stationary Hay and Straw Balers

171	Horse.....	76
172	Auxiliary engine.....	36
172a	Belt driven.....	36
172b	Power take-off.....	36
172c	Broom corn balers.....	79

## Division 9: Feed Grinders and Crushers

173	Hand.....	52
174	Power, burr type.....	58
175	Hammer type.....	58
175a	Roughage mills, combination type with cutter head and grinders.....	58
175b	Feed mixers (not concrete mixers).....	58

## Division 10: Grain cleaners and Graders

176	Cleaners and graders—farm type (small grain and seed).....	63
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## Division 11: Sorters and Graders

177	Potato sorters and graders.....	111
177a	Vegetable graders, washers, sackers and conveyors.....	90
177b	Vegetable toppers.....	80
177c	Fruit graders, washers, crushers, conveyors.....	80
177d	Nut hullers, graders, sackers, conveyors.....	80

## Division 12: Maple Syrup Evaporators

178	Complete sets of pans, not including furnaces.....	69
179	Furnaces.....	58

## Division 13: Cane Syrup Evaporators

180	Complete sets of pans, not including furnaces.....	95
181	Furnaces.....	77

## Division 14: Cane Mills—Farm Size

182	Cane mills (farm size).....	63
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## Division 15: Cider Mills and Fruit Presses

183	Older mills and fruit presses.....	32
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## Division 16: Other Machines for Preparing Crops for Market or Use

184	Tobacco Curers.....	40
185	Broom corn de-seeders.....	80
186	.....	80
186a	.....	80

## GROUP 8—Continued

Item No.	Division 17: Attachments	Quota Percent
187	Attachments for all items in Group 8 expressed in terms of net shipping weight in pounds.....	(1)

## GROUP 9: FARM ELEVATORS AND BLOWERS

## Division 1: Elevators—Portable

188	Elevators, Portable.....	100
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## Division 2: Elevators—Stationary

189	Elevators, stationary.....	86
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## Division 3: Blowers—Grain and Forage

190	Blowers (grain).....	118
190a	Blowers (forage).....	150

## Division 4: Attachments

191	Attachments for all items in Group 9 expressed in terms of net shipping weight in pounds.....	(1)
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## GROUP 10: TRACTORS

## Division 1: Tractors, Wheel Type, by Rated Belt H. P.

192	Special purpose, under 30 H. P.....	82
193	Special purpose, 30 and over.....	44
194	All purpose under 30 H. P.....	41
195	All purpose 30 and over.....	63

## Division 2: Garden Tractors

196	Garden tractors (incl. motor tillers).....	65
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## Division 3: Attachments

197	Attachments for all items in Group 10 expressed in net shipping weight in pounds.....	(1)
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## GROUP 11: ENGINES (CANCELLED—SCHEDULED BY AUTOMOTIVE DIVISION)

## Division 1: Engines Under 1 H. P.

198	Air Cooled.....	(1)
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## Division 2: Engines, One or More but Under 5 H. P.

199	Air Cooled.....	(1)
200	Water Cooled.....	(1)

## Division 3: Engines, Five or More but Under 10 H. P.

201	Air Cooled.....	(1)
202	Water Cooled.....	(1)

## Divi Engines, Tension 4: or More but Under 20 H. P.

203	Water cooled.....	(1)
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## Division 5: Attachments

204	Attachments for all items in Group 11 expressed in terms of net shipping weight in pounds.....	75
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## GROUP 12: FARM WAGONS, GEARS AND TRUCKS (NOT MOTOR)

## Division 1: Wagons and Trucks

205	Wagon gears (less box). (See par. (f) (1)).....	55
206	Truck gears (less box). (See par. (f) (1)).....	55
206a	One horse wagon (less box). (See par. (f) (1)).....	55

## Division 2: Wagon Bodies

207	Wagon and truck boxes, farm. (See par. (f) (1)).....	77
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## Division 3: Farm Sleighs

208	Sleighs and Bob-Sleds, farm.....	150
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## Division 4: Trailers—Farm

209	Trailers, farm.....	0
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## Division 5: Other Transporting Equipment Not Motor Trucks

210	Tobacco trucks (see par. (f) (1)).....	58
210a	Buggies and spring wagons, farm.....	55
211	Cane wagons and carts.....	47
211a	.....	50
211b	.....	50

## Division 6: Attachments

212	Attachments for all items in Group 12 expressed in terms of net shipping weight in pounds (see par. (f) (1)).....	(1)
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<sup>1</sup> Percentage quota is the same as that listed for the machine with which the attachment is used, unless option is chosen as provided for in paragraph (d) (3) of the order (L-257).

<sup>2</sup> Quota percentage not necessary.

## GROUP 13: DOMESTIC WATER SYSTEMS

## Division 1: Deep and Shallow Well Systems

Item No.		Quota Percent
213	Deep well, reciprocal.....	59
214	Deep or shallow well, jet type.....	70
215	Shallow well, 250-499 gals. per hour.....	60
216	Shallow well, 500 gals. per hour and over.....	60

## Division 2: Power Pumps

217	Horizontal type, up to and incl. 75 gal. p. m. 100 pressure.....	55
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## Division 3: Water Well Casing

218	Water well casing (fabricated by other than pipe mills).....	100
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## Division 4: Attachments

219	Attachments for all items in Group 13 expressed in terms of net shipping weight in pounds.....	(1)
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## GROUP 14: FARM PUMPS AND WINDMILLS

## Division 1: Pumps, water

220	Pitcher pumps.....	69
221	Hand and windmill pumps.....	84

## Division 2: Windmills

222	Windmill heads.....	95
223	Windmill towers.....	89

## Division 3: Pump jacks

224	Pump jacks.....	67
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## Division 4: Attachments

226	Attachments for all items in Group 14 expressed in terms of net shipping weight in pounds.....	(1)
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## GROUP 15: IRRIGATION AND DRAINAGE EQUIPMENT

## Division 1: Irrigation and Drainage Pumps

227	Turbine Pumps, 0 to 1,200 G. P. M.....	64
228	Turbine Pumps, 1,200 G. P. M. and up, belt driven.....	135
229	Centrifugal pumps.....	64
230	Hydraulic rams.....	60

## Division 2: Distribution Equipment

231	Land levelers.....	45
231a	Blade ditchers and terracers.....	45
231b	Ono disc terracers.....	45
231c	Corrugators.....	45
231d	Scrapers.....	45

(Items 231 to 231d are exclusive of power ditchers, draglines, and other self-powered machines.)

232	Portable pipe and extensions, sprinklers (excluding lawn sprinklers), valves and gates, expressed in terms of net shipping weight in pounds.....	70
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## Division 3: Other Farm Irrigation Equipment (List each item separately)

233	.....	40
234	.....	40
235	.....	40

## Division 4: Attachments

236	Attachments for all items in Group 15, expressed in terms of net shipping weight in pounds.....	(1)
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## GROUP 16: DAIRY FARM MACHINES AND EQUIPMENT

## Division 1: Milking Machines

237	Milking machines.....(Complete Outfits).....	60
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## Division 2: Farm Cream Separators

238	Capacity 250 lbs. per hour or less.....	85
239	Capacity 251 lbs. to 800 lbs. per hour.....	87
240	Capacity 801 lbs. to 1600 lbs. per hour.....	23

## Division 3: Farm Milk Coolers

241	Immersion type.....	84
242	Surface or Tubular type.....	84

## GROUP 16—Continued

Division 4: Farm Butter Making Equipment		
Item No.		Quota Percent
243	Butter churns.....	70
244	Butter molds.....	70
Division 5: Other Dairy Farm Equipment		
245	Milk pails.....	98
246	Milk strainers.....	98
247	Stirrers.....	50
248	Cream setter cans.....	50
248a	Sterilizing tanks.....	70
248b	Dairy washing tanks.....	60
248c	Dairy water heaters (excluding boiler-type heaters).....	60
248d	Can racks.....	60
(List additional items separately)		
248e	.....	50
248f	.....	50
248g	.....	50
Division 6: Attachments		
249	Attachments for all items in Group 16, expressed in terms of net shipping weight in pounds.....	(1)
GROUP 17: BARN AND BARNYARD EQUIPMENT		
Division 1: Feed Carriers, Litter Carriers, and Feed Trucks		
250	Feed carriers.....	50
251	Litter carriers.....	52
252	Truck for feed and litter carriers.....	75
253	Feed trucks (iron and steel).....	67
Division 2: Hay Unloading Equipment		
254	Hay carriers.....	90
255	Truck for hay carriers.....	73
256	Hay forks, harpoon and grapple.....	50
Division 3: Cattle Stalls, Pen Equipment and Stanchions		
258	Cattle stalls and fittings (See Par. (f) (1)).....	50
259	Livestock pens (See Par. (f) (1)).....	40
260	Cattle stanchions and fittings (See Par. (f) (1)).....	65
Division 4: Livestock Drinking Cups and Watering Bowls		
261	Livestock drinking cups.....	92
262	Outside livestock watering bowls.....	80
Division 5: Barnyard Stock Tanks		
263	Barnyard stock tanks.....	65
264	Hog troughs (iron and steel).....	50
265	Livestock dipping tanks.....	50
Division 6: Feeders, Feed Cookers, & Tank Heaters		
265a	Livestock feeders (iron and steel).....	50
266	Feed cookers.....	77
267	Tank heaters.....	90
Division 7: Barn Door Track & Hangers		
Division 8: Other Barn & Barnyard Equipment		
270	Hog waterers.....	105
270a	Hog oilers.....	65
271	Hog rings.....	110
271a	Hog ringers.....	85
272a	Cattle dehorning equipment.....	70
272f	Anti-cow-kickers.....	45
272h	Hay hoists.....	60
272i	Bull stiffs.....	100
272j	Bull rings.....	100
(List additional items separately)		
272k	.....	50
272l	.....	50
Division 9: Attachments		
273	Attachments for all items in Group 17, expressed in terms of net shipping weight in pounds.....	(1)
GROUP 18: FARM POULTRY EQUIPMENT		
Division 1: Incubators		
274	Incubators, 1,000-egg capacity & smaller.....	51
275	Incubators, over 1,000-egg capacity.....	75
Division 2: Floor Brooders		
276	Oil (over 100 chick capacity).....	100
277	Coal (over 100 chick capacity).....	100
278	Gas (over 100 chick capacity).....	100
279	Wood (over 100 chick capacity).....	100
280	Electric (over 100 chick capacity).....	100
280a	All types 100 chick capacity and smaller.....	100
Division 3: Battery Brooders (heated)		
281	Three deck and smaller (heated).....	20
282	Four deck (heated).....	70
283	Five deck (heated).....	85

1 Percentage quota is the same as that listed for the machine with whom the attachment is used, unless option is chosen as provided for in paragraph (d) (3) of the order (L-257).

## GROUP 18—Continued

Division 4: Growing and Laying Equipment		
Item No.		Quota Percent
284	Growing.....	12
285	Laying.....	0
Division 5: Poultry Feeders		
286	Poultry feeders (iron and steel).....	70
Division 6: Poultry Waterers and Water Heaters		
287	Poultry waterers (iron and steel).....	70
287a	Automatic float valves.....	75
287b	Fountain heaters.....	75
Division 7: Laying Nests and Grit Boxes		
288	Laying nests (iron and steel).....	40
289	Egg baskets.....	100
289a	Grit boxes (iron and steel).....	40
Division 8: Other Farm Poultry Equipment		
290	Leg bands.....	110
290a	Wing bands.....	110
291	Egg graders.....	100
292	Egg candlers.....	100
292a	Poultry punches.....	50
292b	Roof saddles.....	100
292c	Draft equalizers.....	100
292d	Chimney caps.....	100
292e	Killing cones.....	50
292f	Fowl catchers.....	50
(List additional items separately)		
292g	.....	50
292h	.....	50
292i	.....	50
Division 9: Attachments		
293	Attachments for all items in Group 18, expressed in terms of net shipping weight in pounds.....	(1)
GROUP 19: MISCELLANEOUS FARM EQUIPMENT		
Division 1: Beekeepers' Supplies		
294	Beekeepers' supplies (except bee hives).....	100
295	Bee hives (not limited, except iron and steel—see par. (f) (1)).....	100
Division 2: Silos		
296	Silos (total weight of iron and steel) (see par. (f) (1)).....	60
Division 3: Horse Shoes—Including Mule and Oxen Shoes		
297	Horseshoes (incl. mule and oxen shoes).....	100
Division 4: Harness Hardware		
298	Harness hardware.....	100
Division 5: Power Sheep Shearing Machines		
299	Power sheep shearing machines.....	100
299a	Power cattle and horse clippers.....	70
Division 6: Electric Fence Controllers		
300	Electric fence controllers.....	100
301	Electric fence accessories.....	120
Division 8: Farm Wood-Sawing Machines		
302	Farm wood-sawing machines including self-powered cross-cut and drag S.H.P. and less.....	75
Division 9: Farm Gates		
310	Farm gates (see par. (f) (1)).....	25
Division 10: Farm Electric Plants (wind-driven)		
311	Farm electric plants (wind-driven electric generating plants only—does not include batteries or towers).....	25
311a	Towers for wind-driven electric generating plants (Engine driven farm lighting plants and batteries transferred to Automotive Division.).....	25
Division 11: Attachments		
312	Attachments for all items in Group 19, expressed in terms of net shipping weight in pounds.....	(1)

[F. R. Doc. 43-13808; Filed, August 24, 1943; 11:32 a. m.]

## PART 1029—FARM MACHINERY AND EQUIPMENT AND ATTACHMENTS AND REPAIR PARTS THEREFOR

[Limitation Order L-257-a as Amended August 24, 1943]

## EXPORTS

§ 1029.16 *Limitation Order L-257-a—*  
(a) *What this order does.* This order describes the rules governing the manufacture for export of machinery and equipment (both farm and non-farm) and repair parts, and supplements Limitation Order L-257 covering domestic production. All general provisions of the domestic order, such as definitions and rules for production schedules, will apply to producers for export under this order, unless this order indicates otherwise. It is expected that this order L-257-a will be the basic export order from year to year, but that "applicable export schedules" of quotas will be issued for each "current quota period", just as explained in Order L-257 for domestic quotas. It may be assumed that the applicable export schedules in effect at any particular time will continue into the next "current quota period", until such time as new schedules are issued.

(b) *Additional definitions.* The definitions of Order L-257, unless otherwise indicated in this order, shall apply for the purpose of this order, and also the following:

(1) "Base shipment" means one-half the net shipping weight of the total quantity (as reported on Form PD-388) of farm machinery and equipment and repair parts in the aggregate exported by a producer during the calendar years 1940 and 1941 combined to any country or group of countries (except Canada) listed on an applicable export schedule.

(2) "Lend-Lease order" means any order for machinery and equipment (both farm and non-farm) or repair parts placed by any agency of the United States Government in response to a requisition filed pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(3) "Applicable export schedule" means any schedule which relates to a current quota period and fixes manufacturing quotas for the foreign country or countries listed for that period.

(c) *Restrictions on production for export—*(1) *General export quotas (except Canada).* During any current quota period, no producer shall manufacture for shipment, or ship, to foreign countries more machinery and equipment (both farm and non-farm) and repair parts than his quota for the particular country or countries, as indicated on the applicable export schedule. Where countries are listed on an applicable export schedule as a group with only one quota percentage, the producer's quota for all countries in the group as a whole is the listed percentage of his base shipments to those countries. Where countries are listed individually with separate quota percentages, the producer's quota for each country is the applicable percentage

of his base shipment to that country. Where the quota percentage is 0% for any country or group of countries listed, or where a particular foreign country is not listed at all, shipments can be made only by getting a special quota under paragraph (c) (4). These special quotas will be given only as the need arises.

Each export quota for a country or group of countries (except Canada) is an over-all tonnage, which the producer can divide up among farm machinery and equipment, non-farm machinery and equipment, and repair parts, as he chooses.

Exceptions to these general rules are stated in paragraph (d).

(2) Canadian quotas. During any current quota period, no producer shall manufacture for shipment to Canada more of any item of farm machinery and equipment (in units) or attachments and repair parts (by weight) than his quota as indicated on the applicable export schedule. For each item of farm machinery and equipment (excluding attachments) the producer's quota is half the number of that item (in units) shipped by him to Canada during the calendar years 1940 and 1941, multiplied by the percentage shown for the item on the schedule. (Quotas for Canada do not include non-farm machinery and equipment.)

For each item of attachments, the quota is half the net shipping weight of that item shipped by the producer to Canada during the calendar years 1940 and 1941, multiplied by the percentage shown for the item on the schedule. However, the producer may choose to lump all attachments as explained in paragraph (d) (3).

For repair parts, the quota is half his total 1940 and 1941 shipments by weight of all repair parts to Canada, multiplied by the indicated percentage.

Exceptions to these general rules are stated in paragraph (d).

(3) Special restrictions. No producer shall manufacture for shipment, or ship, to any foreign country (including Canada):

(i) Any item of farm machinery and equipment requiring rubber tires, except upon specific authorization in writing of the War Production Board;

(ii) Any item of farm machinery and equipment or repair parts except to the extent listed on an approved production schedule under paragraph (e).

(4) Adjustments in quotas. The War Production Board may, by specific written directions or authorizations issued to any producer or other person affected by this order, increase or decrease any export quota or authorized use of materials; and may transfer any portions of quotas between producers, taking into account the amount and weight of materials to be used, the need for particular items at the time required in particular countries, the labor and transportation situation in the manufacturing areas involved, and such other factors as may be proper.

(d) Exceptions—(1) Production before or after current quota periods—(i) Advance planning of production. Before the beginning of any current quota period, producers may plan their advance production for export as explained for domestic production in subparagraph (d) (5) (i) of Order L-257.

(ii) Carry-over of uncompleted portions of quotas. Any portions of export quotas under an applicable export schedule (including all amendments, appeals and specific authorizations) which are not completely manufactured by the end of the current quota period, may be carried over and added to the corresponding quotas of the next current quota period, but only to the extent that the particular items are covered by an export license issued by the Office of Economic Warfare or by a Lend-lease order, dated before July 1 of this next period. However, items for Canada may be carried over to the extent that they can be completed by July 31 of this next period.

(iii) Uncompleted L-170 quotas. Uncompleted export quotas under Order L-170 (except Canada) may be carried over as explained in subparagraph (d) (1) (ii) above to the extent that they are covered by an export license or Lend-lease order dated before October 1, 1943. Uncompleted L-170 quotas for Canada may be completed up to June 30, 1944.

(2) Bracketed items for Canada. Wherever, in an applicable export schedule for Canada, two or more items are bracketed together, the producer may distribute his total quota (in units) for that bracket among all the items in that bracket, as set forth for domestic items in paragraph (d) (2) of Order L-257.

(3) Attachments for Canada. Any producer may choose not to follow the individual quota percentages for attachment items for Canada as indicated on the applicable export schedule, and instead manufacture up to 75% of half his total 1940 and 1941 shipments of all attachments (by weight) to Canada, under the terms set forth for domestic attachments in paragraph (d) (3) of Order L-257.

(e) Production schedules. Each producer who is not a "small producer" must have available for shipment export the quantities of items of machinery and equipment (both farm and non-farm) and repair parts as indicated on his production schedules which have been filed and approved in accordance with paragraph (e) of Order L-257. All provisions of that paragraph apply to production schedules for export, unless otherwise indicated.

(f) Appeals. Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(g) Communications. All communications concerning this order, shall, unless otherwise directed, be addressed to:

War Production Board, Farm Machinery and Equipment Division, Washington 25, D. C., Ref.: L-257-a.

Issued this 24th day of August 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

• APPLICABLE EXPORT SCHEDULES OF ORDER L-257-A FOR CURRENT QUOTA PERIOD JULY 1, 1943 TO JUNE 30, 1944

NOTE: Caption amended August 24, 1943.

Quotas for countries listed on Schedules X-1, X-3, X-4, X-5, X-6, X-7 below are expressed as a percentage of one-half the total net shipping weight of the 1940 and 1941 shipments of farm machinery and equipment and repair parts to all the countries in the particular group.

Quotas for countries listed on Schedule X-8 below are expressed as a percentage of one-half the total net shipping weight of the 1940 and 1941 shipments to each such country.

NOTE: Quota percentages are not established for countries listed in Schedules X-2 and X-9 below. Quotas for these countries, and for special projects in any country, will be allocated specifically from time to time under paragraph (c) (4).

#### O. E. W. COUNTRIES

##### Schedule X-1—Quota Percentage 45%

Argentina	Guatemala
Bolivia	Haiti
Brazil	Honduras
Chile	Mexico
Colombia	Nicaragua
Costa Rica	Panama
Cuba	Paraguay
Dominican Republic	Peru
Ecuador	Uruguay
El Salvador	Venezuela

##### Schedule X-2—Other O. E. W. Countries Quota Percentage—0%

NOTE: Caption amended August 24, 1943.

NOTE: Item "French West Africa" deleted, August 24, 1943.

Azores	Mozambique
Belgian Congo	Newfoundland and Labrador
British Oceanla	Portugal
Canary Islands	Portuguese Guinea and Angola
Cape Verde Islands	Rio de Oro and Spanish Guinea
Curacao (N. W. Indies)	Spain
Elre	Spanish Morocco
French Gulana	Surinam (Dutch Guiana)
French Oceanla	Sweden
French West Indies	Switzerland
Greenland	Tangier
Liberia	
Madagascar	
Miquelon and St. Pierre	

#### LEND-LEASE COUNTRIES

##### Schedule X-3—Quota Percentage 87%

United Kingdom:  
Great Britain  
North Ireland  
Scotland  
Wales

##### Schedule X-4—Quota Percentage 580%

French North Africa:  
Algeria  
French Morocco  
Tunisia

##### Schedule X-5—Quota Percentage 479%

Other French Africa:  
French Equatorial Africa  
French Somaliland  
Cameroons (French)

*Schedule X-6—Quota Percentage 151%*

## British West Indies:

Bahamas  
Barbados  
Bermuda  
Jamaica  
Leeward Islands  
Trinidad and Tobago  
Windward Islands

*Schedule X-7—Quota Percentage 37%*

## British West Africa:

Cameroons (British)  
Gambia  
Gold Coast  
Nigeria  
Sierra Leone

*Schedule X-8*

Countries:	Quota percentages
Australia.....	399%
British East Africa.....	167%
British Honduras.....	70%
British Guiana.....	200%
Egypt and Sudan.....	380%
Iceland.....	922%
India.....	55%
Iran.....	53%
Iraq (Mesopotamia).....	469%
New Zealand.....	232%
Palestine.....	415%
North & South Rhodesia.....	132%
Turkey.....	43%
Union of South Africa.....	121%

*Schedule X-9—Other Areas Quota Percentage—0%*

NOTE: Caption amended August 24, 1943.

Aden  
Arabia Peninsula States  
Belgium  
British Somaliland  
Ceylon  
China (Free)  
Cyprus  
Italian Somaliland  
Ethiopia  
Falkland Islands  
French West Africa  
France  
Greece  
Denmark  
Gibraltar  
Italy  
Malta and Gozo  
Mauritius and Dependencies  
Netherlands  
Norway  
Poland  
State of Bahrain  
St. Helena and Dependencies  
Syria  
U. S. S. R.  
Yugoslavia

## CANADA

*Schedule X-10*

Quotas for the following items of farm machinery and equipment (excluding attachments) are expressed as a percentage of one-half the number of units of each item shipped to Canada during the combined calendar years 1940 and 1941; where applicable, the item numbers correspond to those in Schedule A of Order L-257. Bracketed items may be handled as indicated in paragraph (d) (2).

The quota base for each item of attachments, and for repair parts, is one-half the net shipping weight of the 1940 and 1941 shipments thereof. Note option to lump all attachments as provided in paragraph (d) (3).

Items not listed are not to be manufactured for shipment to Canada.

## GROUP 1: PLANTING, SEEDING AND FERTILIZING MACHINERY

## Division 1: Planters (Horse and Tractor Drawn)

Item	Quota percentages
4 Two row corn planters.....	81
6 Three row and over corn planters.....	81

## Division 2: Planters (Tractor Mounted)

10 Two row corn planters.....	81
12 Three row and over corn planters.....	81

## Division 3: Potato Planters (Horse or Tractor Drawn)

14 One row.....	125
14a Two row and larger.....	125

## Division 4: Transplanters

(*) Horse or tractor drawn.....	77
16 Hand, wheel type.....	77

## Division 7: Beet Drills

(*) Horse or tractor drawn.....	69
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## Division 8: Grain Drills

(*) Fertilizer drills, horse or tractor drawn.....	75
(*) Plain drills, horse or tractor drawn.....	75
(*) Press drills, horse or tractor drawn.....	32

## Division 10: Garden Planters

30 Hand planters, wheel type.....	100
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## Division 12: Lime Spreaders (Souers)

33 Wheeled type, horse or tractor drawn.....	70
--	----

## Division 13: Manure Spreaders

36 Four wheeled, horse or tractor drawn.....	83
37 Two wheeled, tractor drawn.....	83

## GROUP 2: PLOWS AND LISTERS

## Division 1: Moldboard Plows (Horse Drawn)

42 Walking, one horse, steel bottom.....	0
43 Walking, one horse, chilled bottom.....	0
44 Walking, two horse, or larger.....	51
46 Gang, two bottom and larger.....	29

## Division 2: Moldboard Plows (Tractor Drawn or Mounted)

47 One bottom, tractor drawn.....	57
48 Two bottom, tractor drawn.....	57
49 Three bottom, tractor drawn.....	57
50 Four bottom, tractor drawn.....	57
51 Five bottom, and larger, tractor drawn.....	57
52 One bottom, tractor mounted.....	51
53 Two bottom, tractor mounted.....	51

## Division 5: One Way Disc Plows or Tillers

63 Under five feet.....	72
63a Five foot and under eight foot.....	72
63b Eight foot and over.....	72

## Division 11: Seeding Boxes

(*) Seeding boxes for one way plows or tillers.....	92
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\* No applicable item number on Schedule A of Order L-257.

## GROUP 3: HARROWS, ROLLERS, FULCRUMS AND STALK CUTTERS

## Division 1: Harrows

Item	Quota Percentage
78 Spike tooth harrow sections, horse or tractor drawn (steel).....	63
79 Spring tooth harrow sections, horse or tractor drawn (steel).....	63
(*) Disc harrows, horse or tractor drawn:	
(1) wide tractor disc harrow.....	42
(2) tandem tractor disc harrow.....	56
(3) horse disc harrow.....	51

## Division 3: Soil Pulverizers and Packers

(*) Trailer packers for one way disc, drill and plow.....	41
---	----

## GROUP 4: CULTIVATORS AND WEEDERS

## Division 1: Cultivators (Horse and tractor drawn)

91 One horse, all types.....	53
93 Corn cultivators, one row.....	26
95 Beet cultivators.....	76
(*) Field cultivators.....	68
97 Hand cultivators and weedeers.....	100

## Division 2: Cultivators (Tractor Mounted)

98 One row.....	83
99 Two row, shovel type.....	83
100 Three or four row, shovel type.....	83
101 Five row and over.....	83

## Division 4: Weeders

103 Red weeders, horse or tractor drawn.....	25
--	----

## Division 5: Other Cultivators and Weeders

(*) Tobacco cultivators.....	50
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## GROUP 5: SPRAYERS, DUSTERS, AND OTHER HEATERS

## Division 1: Power Sprayers and Traction Sprayers

(*) Power sprayers.....	93
(*) Traction sprayers.....	95

## Division 2: Hand Sprayers (Capacity one quart &amp; over)

110 Compressed air.....	
111 Knapsack self-contained.....	
112 Trombone pump type.....	
113 Bucket pump type, single cylinder.....	
114 Bucket pump type, double cylinder.....	84
115 Atomizing single action (1 qt. and larger).....	
116 Atomizing continuous (1 qt. and larger).....	

## Division 3: Sprayers with Tank, Barrel, Knapsack, etc., (6 gals. or more)

117 Barrel pump sprayer.....	
118 Wheelbarrow type.....	84

## Division 4: Spray Pump (Power)

119 Spray pumps, power.....	100
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## Division 6: Dusters

123 Hand dusters, rotary type.....	84
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## GROUP 6: HARVESTING MACHINERY

## Division 1: Combines (Harvesting thrashers)

126 Width of cut, 6 feet and under.....	110
127 Width of cut, over 6 feet including 10 feet.....	110
123 Width of cut, over 10 feet.....	110
(*) Pickup for combines.....	125
123a Swather.....	147



## GROUP 6: HARVESTING MACHINERY—CON.

## Division 2: Grain and Rice Binders

Item	Quota Percentage
129 Grain binder (ground drive)-----	61
130 Grain binder (power take-off drive)-----	64

## Division 3: Corn Binders

132 Corn binders (row binder) horse or tractor drawn-----	75
---	----

## Division 4: Corn Pickers

133 One row, mounted type-----	128
134 Two row, mounted type-----	128
135 One row, pull type-----	128
136 Two row, pull type-----	128

## Division 5: Field Ensilage Harvester (Row type)

137 Field ensilage harvester (40 units to be allotted)-----	0
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## Division 6: Potato Diggers

(1) Horse or tractor-----	113
---------------------------	-----

## Division 8: Beet Lifters

141 Horse or tractor-----	97
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## GROUP 7: HAYING MACHINERY

## Division 1: Mowers

146 Horse or tractor drawn (ground drive)-----	77
147 Tractor mounted or semi-mounted (Power take-off drive)-----	77
(1) Knife or sickle grinder-----	71

## Division 2: Rakes

148 Sulky, dump-----	93
149 Side delivery-----	77
150 Sweep, horse-----	75

## Division 3: Hay Loaders

151 Hay loaders-----	109
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## Division 4: Stackers

152 Stackers (Stationary type)-----	100
-------------------------------------	-----

## Division 5: Hay Balers

(1) Pick-up hay balers (50 units to be allotted)-----	0
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## GROUP 8: MACHINES FOR PREPARING CROPS FOR MARKET OR USE

## Division 1: Stationary Thrashers

158 Thrashers, width of cylinder under 28 inches-----	32
159 Thrashers, width of cylinder 28 inches or over-----	32

## Division 4: Ensilage Cutters (Silo fillers)

162 Ensilage cutters (silo fillers)-----	89
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## Division 5: Feed Cutter (Hand and Power)

163 Feed Cutters, hand and power--	105
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## Division 6: Corn Shellers

164 Corn shellers, hand-----	33
165 Power corn shellers (2, 4, 6 and 8 hole)-----	33
166 Power corn shellers, cylinder (150 bu. and under)-----	33
167 Power corn shellers, cylinder (over 150 bu.)-----	33

## Division 9: Feed Grinders and Crushers

174 Power Burr type-----	183
175 Hammer-----	66
175a Roughage mills-----	66
175b Feed mixer (not concrete mixer)-----	126

<sup>1</sup>No applicable item number on Schedule A of Order L-257.

## GROUP 8: MACHINES FOR PREPARING CROPS FOR MARKET OR USE—CON.

## Division 10: Cleaners and Graders (Farm type)

Item	Quota Percentage
176 Cleaners and graders (corn and grain)-----	100

## Division 11: Potato Sorters and Graders

177 Potato sorters and graders-----	85
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## Division 16: Other Machines for Preparing Crops for Market Use

(1) Roller or crusher type feed cutters-----	33
(1) Pulper (feed)-----	100

## GROUP 9: FARM ELEVATORS AND BLOWERS

## Division 1: Elevators (portable)

188 Elevators, portable-----	50
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## Division 2: Elevators (stationary)

189 Elevators, stationary-----	0
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## GROUP 10: TRACTORS

## Division 1: Tractors, Wheel Type, by Rated Belt H. P.

192 Special purpose under 30 h. p.-----	75
193 Special purpose 30 or over h. p.-----	
194 All purpose under 30 h. p.-----	
195 All purpose 30 and over h. p.-----	

## Division 2: Garden Tractors

196 Garden tractors including motor tillers (200 units to be allotted)-----	0
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## GROUP 11: ENGINES

NOTE: Engines and repairs for same are not controlled by this order, but are scheduled by the Automotive Division.

## GROUP 12: FARM WAGONS AND TRUCKS (NOT MOTOR)

## Division 1: Wagons

205 Wagons, farm, without boxes--	90
206 Trucks, farm, without boxes--	97

## Division 2: Wagon Bodies

207 Wagon and truck boxes, farm--	141
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## GROUP 13: DOMESTIC WATER SYSTEMS

## Division 1: Deep and Shallow Well System

213 Deep well, reciprocal-----	83
214 Deep well, jet pumps-----	83
215 250-499 gals. per hour, shallow well-----	83
216 500 to 3000 gals. per hour, shallow well-----	83

## Division 2: Power Pumps

217 Horizontal type up to and including 50 gals. per min. 100 lb. pressure-----	83
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## GROUP 14: FARM PUMPS AND WINDMILLS

## Division 1: Pumps, Water

220 Pitcher pumps or cistern pumps--	86
221 Hand and windmill pumps-----	162

## Division 2: Windmills

222 Windmill heads-----	86
223 Windmill towers-----	35

## Division 3: Pump Jacks

224 Pump jacks-----	160
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## GROUP 15: IRRIGATION EQUIPMENT

## Division 2: Distribution Equipment

Item	Quota Percentage
(1) Repairs, sprinklers, valves and gates for truck garden sprinkling equipment, excluding piping and lawn sprinklers: (1,000 pounds to be allotted)-----	0

## GROUP 16: DAIRY FARM MACHINES AND EQUIPMENT

## Division 1: Milking Machines

237 Milking machines (with 2 pails per pump)-----	186
---	-----

## Division 2: Farm Cream Separators

238 Farm cream separators, capacity 250 lbs. per hour or less-----	0
239 Farm cream separators, cap. 251-800 lbs. per hour-----	186
240 Farm cream separators, capacity 801-1500 lbs. per hour-----	186

## Division 3: Farm Milk Coolers

241 Immersion type (200 units to be allotted)-----	0
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## Division 4: Farm Butter-Making Equipment

243 Butter churns-----	80
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## GROUP 17: BARN AND BARNYARD EQUIPMENT

## Division 2: Hay Unloading Equipment

254 Hay carriers-----	103
255 Track for hay carriers-----	103
256 Hay forks, harpoon and grapple--	103
257 Pulleys and fittings-----	103

## Division 4: Livestock Drinking Cups and Watering Bowls.

261 Livestock drinking cups-----	138
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## Division 5: Hog Troughs

264 Hog troughs-----	50
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## Division 8: Other Barn and Barnyard Equipment

270 Hog waterers-----	50
271 Hog rings----- (15,000 lbs. to be allotted)	0
272 Bull rings-----	

## GROUP 18: FARM POULTRY EQUIPMENT

## Division 1: Incubators

274 Incubators, 1000 egg capacity and smaller-----	105
275 Incubators, over 1000 egg capacity-----	105

## Division 2: Floor Brooders (over 100 chick capacity)

277 Coal-----	150
279 Wood-----	
280 Electric-----	

## Division 8: Egg Cleaners and Brushes (hand use only)

(1) Egg cleaners and brushes (hand use only)-----	150
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## GROUP 19: MISCELLANEOUS FARM EQUIPMENT

## Division 4: Harness Hardware

298 Harness hardware (pounds)-----	150
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## Division 6: Electric Fence Controllers

300 Electric fence controllers-----	200
301 Electric fence accessories (pounds)-----	200

GROUP 19: MISCELLANEOUS FARM  
EQUIPMENT—continuedDivision 8: Farm Wood-Sawing  
Machines

Item		Quota Percentage
309	Farm wood-sawing machines—	89
Division 10: Farm Lighting Plants		
311	Wincharger type (battery not included)-----	25
ATTACHMENTS AND REPAIR PARTS		
(*)	Repair parts, in the aggregate (base is one-half the net shipping weight of total 1940- 1941 shipments of repairs)---	156
(*)	Attachments: Quota percentage for each attachment item is the same as that listed above for the machine or item with which the attachment is used, except that the base is net shipping weight instead of units. However, option may be chosen to lump all attach- ments as provided in para- graph (d) (3) of Order L- 257-a.	

[F. R. Doc. 43-13809; Filed, August 24, 1943;  
11:33 a. m.]

PART 1041—PRODUCTION, TRANSPORTATION,  
REFINING AND MARKETING OF PETROLEUM

[Preference Rating Order P-98-c, as  
Amended August 24, 1943]

To facilitate sales of idle or excess materials, equipment and facilities by persons engaged in the petroleum industry to other persons engaged in the petroleum industry and to control the acquisition of materials by persons engaged in the petroleum industry, the following order is deemed necessary and appropriate in the public interest and to promote the national war effort:

§ 1041.3 *Preference Rating Order P-98-c*—(a) *Definitions*. (1) "Operator" means any person to the extent that he is engaged in the petroleum industry.

(2) "Surplus material" means with respect to each operator that quantity of any item of material, usable for purposes other than scrap, in the operator's possession or under his control which is determined to be surplus critical material in accordance with Schedule A, B, or C; or which (with respect to any material not identified as critical material) exceeds the quantity required or scheduled for use during the succeeding 90 days.

(3) All other definitions of Preference Rating Order P-98-b shall apply in this order.

(b) *Sales of material between operators*. (1) Notwithstanding the provisions of Priorities Regulation No. 1, as amended from time to time, any operator may sell or transfer to any operator material from the seller's or transferor's stocks or inventories, and any such sale or transfer shall be expressly permitted within the terms of Priorities Regulation No. 13, as amended from time to time.

(2) Notwithstanding the provisions of Priorities Regulation Nos. 1 and 13, as amended from time to time, any operator may sell or transfer to any supplier, for sale or transfer by the supplier to an-

other operator, material from the stocks or inventories of the operator.

(3) Where any material is to be used by an operator outside of the United States, its territories or possessions, no operator may sell, transfer or accept delivery of such material under the provisions of this paragraph (b) unless Form PD-470 is filed with the Petroleum Administration for War prior to any such sale or transfer. For the purposes of this subparagraph Form PD-470 will be treated as an information form only and not as an application.

(c) *Restrictions on acquisition and use of materials*. (1) The provisions of CMP Regulation No. 2 and paragraph (f) of CMP Regulation No. 5 shall not be applicable to the sale, delivery, or transfer of material or the use of implementing documents under the provisions of this order. The following provisions of this paragraph (c) shall apply.

(2) No operator or supplier may deliver to any operator, and no operator may accept delivery of, any material for ultimate use in the United States, its territories or possessions, or the Dominion of Canada, in a quantity which if accepted by the operator would result in surplus material for that operator.

(3) No operator may submit a contract or purchase order, effect a sale or transfer authorized by the provisions of paragraph (b) of this order, or apply or extend priorities assistance to obtain delivery of any material for ultimate use in the United States, its territories or possessions or the Dominion of Canada in a quantity which if accepted by the operator would result in surplus material for that operator.

(4) On and after August 1, 1943, no operator who is required to make a certification of compliance under the provisions of the PAW-Materials Redistribution Program No. 2 may submit a contract or purchase order, effect a sale or transfer authorized by the provisions of paragraph (b) of this order, or apply priorities assistance to obtain delivery of any material unless such certification has been made.

(5) Any operator or supplier may deliver to any operator, and any operator may accept delivery of, material for ultimate use outside of the United States, its territories or possessions, or the Dominion of Canada only where the operator accepting delivery of such material secures priorities assistance in conformity with the provisions of Priorities Regulation No. 9 and Forms PD-311 or PD-311-c, as they may be amended from time to time.

(d) *Participation in Materials Redistribution Program*. Where any material is to be used by an operator in the United States, its territories or possessions, such operator shall file such applications as are required by the PAW-Materials Redistribution Program No. 2 and shall participate in such program to the extent required by its terms and provisions. Any operator required to make a certification of compliance under the provisions of the PAW-Materials Redistribution Program No. 2 may be deprived of priorities assistance where a determination has been made that such oper-

ator has surplus material which he has not made available for redistribution in accordance with such program.

(e) *Communications and appeals*. (1) All reports which may be required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed:

(i) By any person located in the United States, its territories or possessions, or elsewhere other than the Dominion of Canada to: Petroleum Administration for War, Interior Building, Washington, D. C., Ref.: P-98-c.

(ii) By any person located in the Dominion of Canada to: Office of Oil Controller, Dominion of Canada, Toronto, Canada, Ref.: P-98-c.

(2) Any person affected by this order or the applicable provisions of Part 1 of the PAW-Materials Redistribution Program No. 2, who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, may file an appeal with the Petroleum Administration for War, setting forth the pertinent facts and the reasons such person considers that he is entitled to relief. Such appeal shall be made by filing a letter in triplicate with the Director of Materials, Petroleum Administration for War, Interior Building, Washington, D. C., Ref.: P-98-c. Action with respect to this order and the PAW-Materials Redistribution Program No. 2 may thereupon be taken as is deemed appropriate.

(f) *Applicability of orders and regulations*. Except as provided in paragraph (c) (1), this order does not authorize acquisition, receipt or use of any material by any person in violation of any inventory, quota or use restrictions imposed by any order or regulation. This order and all transactions affected thereby are subject to the applicable provisions of any regulation issued by the War Production Board, as amended from time to time.

(g) *Violations*. Any person who willfully violates any provision of this order or who willfully furnishes false information to the War Production Board in connection with this order is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance by the War Production Board.

(h) *Further limitations on use of priorities assistance*. The Petroleum Administration for War may issue in its own name further restrictions or limitations on the use of priorities assistance by operators in the petroleum industry.

Issued this 24th day of August 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

## SCHEDULE A

DETERMINATION OF SURPLUS CRITICAL MATERIAL  
FOR THIS SCHEDULE

To determine surplus critical material for Schedule A: Subtract from the total quantity of any item of critical material (of a type

identified on this schedule), that quantity by item which is required or scheduled for use during the succeeding 90 days.

**Critical material:**

Carbon and alloy steel:	Branch of industry used in
Tubular goods (oil country):	
Casing-----	P
Tubing—2" and up-----	P
Drill pipe-----	P
Line pipe—2" and up-----	P, NG, R, T
Wire rope-----	P
API steel sucker rods-----	P

**SCHEDULE B**

**DETERMINATION OF SURPLUS CRITICAL MATERIAL FOR THIS SCHEDULE**

To determine surplus critical material for Schedule B: Subtract from the total quantity of any item of critical material (of a type identified on this schedule), one-half of the quantity by item actually installed or put into service (use) in 1942.

	Branch of industry used in
Carbon and alloy steel:	
Condenser tubes-----	NG, R
Boiler tubes-----	R
Still tubes-----	R
Copper:	
Wire (wire mill copper products)-----	P, NG, R
Pipe and tubing (including tubes)-----	NG, R
Copper base alloys:	
Pipe and tubing (including tubes)-----	NG, R
Valves <sup>1</sup> (check, gate, globe, plus, relief, safety):	
Steel 2" and up-----	P, NG, R, T
Cast iron 12" and up-----	P, NG, R, T

**SCHEDULE C**

**DETERMINATION OF SURPLUS CRITICAL MATERIAL FOR THIS SCHEDULE**

To determine surplus critical material for Schedule C: Total by item all critical material whether or not installed (of a type identified in this Schedule): (a) which has not been in productive service during the past 90 days and is not required or scheduled for such service during the succeeding 30 days; or (b) which has not been in productive service during the past 180 days.

Critical material:	Branch of industry used in
Compressors <sup>2</sup> :	
75 HP or more (including direct driven)-----	P
200 HP or more (direct driven only)-----	NG, R
7½ HP or less (complete with storage tank)-----	M
Control instruments <sup>1,2</sup> :	
Industrial (including regulators and control valves)-----	NG, R
Electric motors:	
10 HP or more-----	P, NG, R, T
5 HP or more-----	M
Electric motor controls:	
10 HP or more-----	P, NG, R, T
5 HP or more-----	M
Engines <sup>2</sup> :	
Multi-cylinder Gas and Gasoline 10 HP or more-----	P, NG, T
Diesel 150 HP or more-----	P, NG, T
Heat exchangers (including complete shells)-----	NG, R
Line pipe (oil or gas in place) 4" or over-----	P
Line pipe (in place), 4" or over-----	NG, T
Meters <sup>1,2</sup> Petroleum displacement type-----	M
Pressure vessels and towers, 200 or more cubic feet contents-----	NG, R

Critical material—Con.	Branch of industry used in
Pumps <sup>2,3</sup> , Dispensing motor driven meter type-----	M
Pumps <sup>2,4</sup> (steam or power driven):	
Centrifugal-----	NG, R, T
Horizontal reciprocating-----	NG, R, T
Rotary-----	NG, R, T
Pumps <sup>2,5</sup> (power driven only):	
Centrifugal-----	M
Rotary-----	M
Pumping units, Oil well (excluding standard rig front), 10 HP or more-----	P
Tanks, <sup>2</sup> Steel storage, 65 gallons to 500 bbls-----	M
Tanks, Steel storage, 10,000 bbls. or larger-----	P, NG, R, T
Tanks, Steel storage, 500 bbls. or larger-----	M

**Footnotes**

(These footnotes are applicable to any footnoted material, regardless of the schedule in which such material is listed.)

Footnoted material is considered "critical material" for the purposes of this program only where:

(a) In the case of footnote<sup>1</sup>, the material is unused, reconditioned or rebuilt.

(b) In the case of footnote<sup>2</sup>, the material was sold new to any person (not necessarily to the required participant) at any time since December 31, 1937.

(c) In the case of footnote<sup>3</sup>, the material is not actually installed at the time a report under the Program is submitted.

(d) In the case of footnote<sup>4</sup>, the material has a new replacement cost (excluding the power unit) of \$600 or more.

(e) In the case of footnote<sup>5</sup>, the material has a new replacement cost (including the power unit) of \$200 or more.

The symbols P, NG, R, T, and M as used in the right-hand column above have the following meanings:

P means Production (oil or gas).

NG means Natural Gasoline Production.

R means Refining.

T means Transportation.

M means marketing.

[F. R. Doc. 43-13810; Filed, August 24, 1943; 11:32 a. m.]

**PART 1253—BERYLLIUM**

[General Preference Order M-160 as Amended August 24, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of beryllium for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1253.1 *General Preference Order M-160*—(a) *Definitions*. For the purposes of this order:

(1) "Beryllium" means and includes: (i) Ores and concentrates, including beneficiated or treated forms, containing beryllium, commercially recognized;

(ii) The element beryllium, sometimes known as "glucinum", in commercially pure form;

(iii) Any alloy containing 3% (three per cent) or more by weight of the element beryllium;

(iv) All chemical compounds containing beryllium as an essential and recognizable component;

(v) Any alloy made for resale in whole or in part from scrap or secondary materials containing 0.1% or more of metallic beryllium and commercial beryllium alloys recovered therefrom.

It does not include beryllium scrap which is regulated by Order M-160-a.

(b) *Allocations*. After June 1, 1942, no person shall deliver or accept delivery of beryllium except as specifically authorized by the War Production Board. The War Production Board will from time to time allocate the supply of beryllium and specifically direct the manner and quantities in which deliveries thereof shall be made and accepted; and the War Production Board may also issue specific directions as to the manner and quantities in which beryllium may be processed for particular purposes or end uses. The War Production Board may require any person seeking to place a purchase order for beryllium to place the same with one or more particular suppliers. Such allocations and directions will be made to insure satisfaction of all defense requirements of the United States, both direct and indirect, and they may be made without regard to any preference ratings assigned to particular contracts or purchase orders.

(c) *Reports*. (1) Unless otherwise ordered by the War Production Board, no person shall be entitled to receive an allocation of beryllium unless, not later than the 20th day of the month next preceding the month in which delivery is desired, he shall have filed with the War Production Board, and with any supplier with whom he may place an order for beryllium, an application on Form PD-496, and in addition shall have filed with the War Production Board a report on Form PD-497.

(2) Any person who, on the first day of June or any month thereafter, has in his possession or under his control any beryllium in excess of ten (10) pounds (beryllium content) shall file with the War Production Board a report on Form PD-497 not later than the 20th day of such month even though he does not desire delivery of beryllium during the next succeeding month.

(3) Failure by any person to file an application pursuant to paragraph (c) (1) may be construed as notice to the War Production Board and to all suppliers of beryllium that such person does not desire an allocation of beryllium for the next succeeding month.

(d) *Exceptions*. (1) Notwithstanding any other provision of this order, any person may, until July 1, 1942, deliver beryllium for the purpose of producing any article which is being produced with the assistance of a preference rating order or certificate issued or extended to the manufacturer which assigns a rating of A-1-c or higher.

(2) Beryllium may be delivered without the specific authorization of the War Production Board to the Metals Reserve Company or to any other

Corporation organized under section 5 (d) of the Reconstruction Finance Corporation Act, as amended (15 U.S.C., section 606 (b)), or to any duly authorized agent of such corporation.

(e) *Special directions.* The War Production Board may from time to time issue specific directions or prohibitions with respect to the permissible kind or quantity of beryllium in the composition of any material or product, and he may also in his discretion direct the use of any practical substitute in lieu of beryllium in the production of any materials or products.

(f) *Applicability of Priorities Regulation No. 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 (Part 944) as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(g) *Violations.* Any person who willfully violates any provision of this order or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(h) *General Imports Order M-63 unaffected.* Nothing contained in this order shall be construed as altering or modifying in any way the provisions of General Imports Order M-63 applicable to beryllium.

(i) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to the War Production Board, Washington 25, D. C., Reference: M-160.

Issued this 24th day of August 1943.

WAR PRODUCTION BOARD,

By J. JOSEPH WHELAN,

Recording Secretary.

[F. R. Doc. 43-13811; Filed, August 24, 1943; 11:32 a. m.]

#### PART 1253—BERYLLIUM SCRAP

[Supplementary Order M-160-a]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of beryllium scrap for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1253.2 *Supplementary Order M-160-a—(a) Definitions.* For the purposes of this order.

(1) "Beryllium scrap" means all copper or copper base alloy materials or objects which are the waste or by-product of industrial fabrication or which

have been discarded on account of obsolescence, failure or other reason, and which contain 0.1% or more of metallic beryllium.

(2) "Producer" means Beryllium Corporation of Pennsylvania, Brush Beryllium Company, Clifton Products, Inc., and any other persons who may be so designated in writing by the War Production Board.

(3) "Approved smelter" means any person whose name appears on Schedule A attached to this order as the same may be amended from time to time.

(4) "Dealer" means any person regularly engaged in the business of buying and selling beryllium scrap.

(b) *Restrictions on use of beryllium scrap.* (1) No person other than a producer or an approved smelter, shall melt, reprocess, smelt or otherwise use beryllium scrap, unless specifically authorized so to do in writing by the War Production Board on application made by letter to the Mica-Graphite Division. Reference: M-160-a; provided, however, that a brass mill may remelt beryllium scrap generated by it and that a foundry may remelt its gates, sprues and risers, if in so doing the brass mill or foundry does not debase or contaminate the material, and if, in applying for permission to acquire beryllium copper or beryllium master alloy, it reduces the requirements on its suppliers by an amount equal to the anticipated recoverable metal. A foundry may also accept a new casting of its own production, which is found to be defective or was spooled in machining, and recast and reship it to replace the original casting.

(2) The War Production Board may issue directives to approved smelters, producers and others who may be permitted to melt beryllium scrap, which directives may direct the exact alloy or alloys which must be produced therewith and the amount of such alloy or alloys, and may prohibit the production of certain alloys. The War Production Board may also issue directives describing the amount of secondary ingot all fabricators and foundries (either integrated or independent) may be required to blend with primary master alloy in the production of fabricated and cast shapes, and the War Production Board may, by directives, designate certain producers or smelters who shall be the only persons permitted to receive and melt beryllium scrap of certain alloys and to produce certain alloys. Directives with respect to all matters described in this paragraph (b) (2) may contain directions as to the production schedules of the persons to whom they are issued.

(c) *Segregation of beryllium scrap.* (1) Any person who in the course of manufacture generates 100 pounds or more of beryllium scrap in a plant in any month after June, 1943, shall carry out thereafter in any such plant the Beryllium Copper Scrap Segregation Program set forth in Schedule B attached to this order and made a part hereof, unless otherwise directed in writing by the War Production Board.

(2) Any person receiving beryllium scrap shall keep such scrap segregated, prior to using it in the manner permitted

by paragraph (b) hereof to at least the same extent as when it was received by him; and if he redelivers such scrap he shall do so segregated at least to the same extent as when it was received by him.

(d) *Contamination of beryllium scrap.* No person shall contaminate beryllium scrap with any other material except that a producer or approved smelter may mix beryllium scrap with other metals in the production of beryllium master alloys or beryllium copper subject to the restrictions contained in any applicable directives and that a brass mill or foundry may mix beryllium scrap with other metals when using beryllium scrap to the extent permitted by the provisions of paragraph (b) (1) hereof.

(e) *Sale and delivery of beryllium scrap.* Except as otherwise specifically authorized in writing by the War Production Board, all persons generating or holding beryllium scrap shall after September 1, 1943, deliver all such scrap at intervals not to exceed 30 days (except that brass mills or foundries may retain for more than 30 days beryllium scrap which they are entitled to use under the provisions of paragraph (b) (1) hereof) in accordance with the following provisions:

(1) *Segregated plant scrap.* Unless the War Production Board has issued a directive in writing to the contrary pursuant to paragraph (e) (4) hereof, beryllium scrap generated in the course of manufacture in a plant subject to the Beryllium Copper Scrap Segregation Program by paragraph (c) (1) hereof and beryllium scrap in such plant consisting of defective or rejected material, shall be segregated in accordance with the program (Schedule B). After segregation, such beryllium scrap shall be shipped directly to any producer or approved smelter provided, however, that where the amount of such scrap of any one type required to be kept separate by the program does not amount to 200 pounds in any month, the scrap of such type may also be shipped directly to any dealer.

(2) *All other scrap.* Unless the War Production Board has issued a directive in writing to the contrary pursuant to paragraph (e) (4) hereof, any person (other than a dealer) who owns or originates any beryllium scrap which he is not required to segregate in accordance with paragraph (c) (1) of this order, shall deliver such scrap to any dealer or approved smelter and shall not use or dispose of such scrap in any other way.

(3) *Dealers operations.* Unless the War Production Board has issued a directive in writing to the contrary pursuant to paragraph (e) (4) hereof, all dealers must deliver any beryllium scrap (whether or not deemed to be usable in "as is" form) to a producer or approved smelter; provided, however, that any dealer may sell any beryllium scrap to another dealer if, in the regular course of business, he does not currently collect sufficient beryllium scrap to make it practicable for him to sell directly to a producer or approved smelter.

(4) *Directives.* The War Production Board may issue directives to a particu-

lar person or to a class of persons directing him or them to deliver beryllium scrap of certain alloys to another specific person or to a class of persons.

(f) *Certification upon sale of segregated scrap.* The generator of beryllium scrap which is segregated as provided in paragraph (c) (1) hereof and the Beryllium Copper Scrap Segregation Program (Schedule B), shall furnish the person to whom he makes delivery of such scrap with a signed document in the form of WPB 3067, or in substantially similar form showing:

(i) The alloy number or the designation "mixed beryllium scrap" when applicable;

(ii) Form of scrap;

(iii) Weight (on a clean and dry basis, moisture content estimated, if necessary); and

(iv) The name and address of the plant where generated.

This document shall bear a notation as to the date of delivery and names and addresses of the parties to the transaction, and, in case of redelivery of such scrap, shall be endorsed and delivered to the person receiving such scrap. Any person delivering scrap segregated as provided in Part I of the Program (Schedule B), shall clearly mark it showing the alloy number or specification, form and source. No mixed beryllium scrap or beryllium scrap other than scrap segregated in accordance with Part I of the Program (Schedule B), shall be designated as "segregated scrap" by any person.

(g) *Tolling prohibited.* No beryllium scrap may be delivered or received pursuant to toll, repurchase or similar arrangement, unless such transaction is specifically authorized in writing by the War Production Board.

(h) *No acquisition or delivery in violation of order.* No person shall hereafter acquire or deliver beryllium scrap or products made therefrom if he has reason to believe such material has been or is to be used in violation of the terms of this or any other order of the War Production Board: *Provided, however,* That any producer or approved smelter may acquire beryllium scrap for any purpose permitted by this order and any directives issued hereunder at any time, irrespective of the right of the person disposing of the same to have acquired or to deliver such scrap.

(i) *Records.* Each person who participates in any transaction involving beryllium scrap shall keep and preserve for at least two years complete and accurate records as to all such transactions, which records shall be subject to inspection by the War Production Board. This record-keeping requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(j) *Reports.* Any person generating or receiving beryllium scrap in any quarter, or having in his possession beryllium scrap at the end of any calendar quarter, shall file with the Mica-Graphite Division quarterly reports on Form WPB 3066 not later than the 20th day after the end of such calendar quarter, if he is instructed so to do by instructions on Form WPB 3066, or if

otherwise specifically directed by War Production Board. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(k) *Addressing of communications.* All applications, statements, reports or other communications filed pursuant to this order or concerning the subject matter hereof, should be addressed to: War Production Board, Mica-Graphite Division, Washington 25, D. C., Reference: M-160-a.

(l) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals, a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and, upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 24th day of August 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

#### SCHEDULE A—APPROVED BERYLLIUM SMELTERS

American Brass Company, Waterbury, Connecticut.

Wilbur B. Driver Company, Newark, New Jersey.

Riverside Metal Company, Riverside, New Jersey.

#### SCHEDULE B—BERYLLIUM COPPER SCRAP SEGREGATION PROGRAM

I. *Segregation of beryllium scrap other than mixed beryllium scrap*—(1) *By alloy content.* Beryllium scrap (other than mixed beryllium scrap as hereinafter defined) of each individual alloy (for example, nickel or cobalt bearing scrap) shall be segregated from beryllium scrap of every other alloy.

NOTE: Scrap from plated or otherwise coated material may not be included with uncoated material of the same alloy specifications.

(2) *By form.* In addition to the above segregation on the basis of alloy content, the scrap of each alloy (other than mixed beryllium scrap as hereinafter defined) shall be segregated into four form types:

(i) "Solids from wrought shapes" generated by shearing, clipping, cutting, blanking or similar processes and also defective or rejected wrought beryllium parts.

(ii) "Casting solids" consisting of defective or rejected casting and gates, sprues, risers or similar foundry scrap.

(iii) "Wrought machinings" generated by machining, drilling, boring, turning, milling or like operations on wrought products or wrought parts.

(iv) "Casting machinings" generated by machining, drilling, boring, turning, milling or like operations on foundry products and parts made therefrom.

In no event shall solids and machinings be combined.

II. *Segregation of mixed beryllium scrap by form*—(1) *Definition.* "Mixed beryllium scrap" shall consist of beryllium scrap in the form of solids or machinings, the alloy content of which cannot be identified, or of grindings, sawings, buffings and other fines and of drosses, skimmings and sweepings.

(2) *Classification.* All mixed beryllium scrap shall be segregated into four classes as follows:

- (i) Solids;
- (ii) Machinings;
- (iii) Sawings;
- (iv) Drosses, skimmings, grindings, buffings and sweepings and other fines.

Each of the four classes of mixed beryllium scrap shall be handled separately from each other class of mixed beryllium scrap and from all other beryllium scrap.

III. *General provisions*—(1) *Official responsible for handling beryllium scrap.* Each person operating a plant generating in any month after June, 1943, 100 pounds or more of beryllium scrap, shall appoint a responsible employee to supervise the collection, segregation and handling of all beryllium scrap generated in the plant. The name of such employee shall be forwarded to the Mica-Graphite Division, Washington 25, D. C. No dealer or other person not a regular employee of the plant shall perform any such function except as the War Production Board may specifically authorize in writing.

(2) *Collection and identification.* Segregation shall be effected at the machine where the beryllium scrap is generated. Separate containers for collection and bins for storage shall be provided for each type of beryllium scrap required to be segregated by this program. All containers and bins shall be clearly marked to identify the alloy and the form of scrap for which they are intended, and they shall be kept clean, dry and in good condition, so that their contents shall be protected from contamination and the weather. Each container and bin shall be used only as a receptacle for the alloy and form of scrap for which it is designated and marked.

(3) *Identification of segregated scrap for shipment.* Each unit of segregated scrap shall, upon shipment, be clearly marked or labelled to show the alloy number or the designation "mixed beryllium scrap" where applicable, the form and the source, i. e., the plant where generated.

(4) *Obligation as regards subcontractors.* Each person operating a plant as part of his arrangement with any subcontractor to whom he furnishes beryllium copper, shall impose an obligation upon, and otherwise make every effort to see to it that, such subcontractor institutes and carries out an adequate beryllium copper scrap collection and segregation program in conformance with this schedule and Order M-160-a.

[F. R. Doc. 43-13812; Filed, August 24, 1943; 11:32 a. m.]

#### PART 3035—NUTGALLS AND TANNIC ACID U. S. P.

[Revocation of General Conservation Order M-204]

Section 3035.1 *General Conservation Order M-204* is hereby revoked. This action shall not be construed to affect in any way any liability or penalty accrued or incurred under said Order M-204.

Issued this 24th day of August 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-13814; Filed, August 24, 1943; 11:32 a. m.]

#### PART 3270—CONTAINERS

[Supplementary Order L-103-b as Amended August 24, 1943]

#### GLASS CONTAINER QUOTAS

§ 3270.36 *Supplementary Order L-103-b*—(a) *Definitions.* For the purposes of this supplementary order:



(1) "Glass container" means any machine made bottle, jar or tumbler which is made of glass and which is suitable for packing any product.

(2) "Commercial user" means any person who uses glass containers for commercially packing any class of listed products in the continental United States (the 48 States and the District of Columbia).

(3) "Class of listed products" means any class of products listed in Schedule I of this order. Food and drug products listed in Schedules I and II of Order M-104 and shortening are not included in Schedule I of this Order, and therefore glass containers for such products are not subject to the restrictions of this order.

(4) "Quota period" means the 4-month period from July 1 through October 31, 1943, inclusive. This is the period during which the restrictions below will operate.

(5) "Base period" means, unless otherwise specified in Schedule I of this order, whichever of the following two periods a commercial user chooses: Base Period A (July 1-October 31, 1942, inclusive), Base Period B (January 1-December 31, 1942, inclusive). The number of empty new glass containers and metal cans accepted during the base period will be used in computing quotas under the restrictions below.

#### Quota and Related Restrictions

(b) *Quota restriction.* During the quota period (July 1-October 31, 1943), no commercial user shall accept delivery of, have manufactured, or have set aside by suppliers for his account, more empty new glass containers for packing any class of listed products than his quota for that purpose. The amount of the quota shall be computed by applying the appropriate quota percentage (as specified in Schedule I for that class) to the amount of his base quantity. The amount of the base quantity shall be computed in accordance with paragraphs (c) or (d) below:

(c) *Computing base quantity (except for beverages).* A commercial user's base quantity for any class of listed products other than beverages (as defined in Schedule I of this order) shall be whichever of the following two amounts he chooses:

(1) *Choice #1.* The number of new glass containers and metal cans accepted by him during Base Period A (July 1-October 31, 1942, unless otherwise specified in Schedule I of this order), for packing that class of products; or

(2) *Choice #2.* One-third of the number of new glass containers and metal cans accepted by him during Base Period B (January 1-December 31, 1942, unless otherwise specified in Schedule I of this order), for packing that class of products.

(d) *Computing base quantity for beverages.* A commercial user's base quantity for beverages (as defined in Schedule I of this order) shall be which-

ever of the following two amounts he chooses:

(1) *Choice #1.* The number of new returnable glass containers accepted by him during Base Period A (July 1-October 31, 1942) for bottling beverages plus 8% of the number of new non-returnable glass containers and metal cans accepted by him during that period for bottling beverages; or

(2) *Choice #2.* One-third of the number of new returnable glass containers accepted by him during Base Period B (January 1-December 31, 1942) for bottling beverages plus 8% of one-third of the number of new non-returnable glass containers and metal cans accepted by him during that period for bottling beverages.

(e) *Restrictions on July-August acceptances.* During July 1943, no commercial user shall accept delivery of more than 35% of his quota for any class of listed products. During August 1943, no commercial user shall accept delivery of more than the following portion of that quota: 60% of that quota minus the number of containers accepted by him against that quota during July 1943. During September and October 1943, he may accept delivery of whatever portion of that quota he did not accept during July and August 1943. If the amount permitted for acceptance during either July or August 1943 is less than a carload, he may accept up to a carload during such month, provided that amount is within his quota for the class of listed products. This paragraph shall not be construed as in any way increasing the amount of any quota.

#### Restrictions on Using Larger Sizes

(f) *Maximum capacity increase.* The total capacity of all empty new glass containers accepted by any commercial user during the quota period for packing any class of listed products shall not exceed the following maximum: (1) 140% of the total capacity of the number of empty new glass containers and metal cans accepted by him for that class of listed product during Base Period A or, if he has chosen Base Period B for computing his quota, (2) 140% of the total capacity of one-third of the number of empty new glass containers and metal cans accepted by him for that class of listed product during Base Period B. Capacity shall be computed in terms of gallons or pounds, whichever is the customary measure for the particular class of products.

(g) *Restriction on 1/2-gal. and 1-gal. sizes.* No commercial user shall accept delivery of more 1/2-gallon and 1-gallon empty new glass containers for packing any class of listed products than the following maximum: (1) the total number of all 1/2-gallon and 1-gallon empty new glass containers and metal cans accepted by him for that class of listed product during Base Period A or, if he has chosen Base Period B for computing his quota, (2) one-third of the total of all 1/2-gallon and 1-gallon empty

new glass containers and metal cans accepted by him for that class of listed product during Base Period B. The amount of 1/2-gallon and 1-gallon glass containers which he may accept is subject to the other restrictions of this order, including those of paragraph (f) above.

#### Applicability of Order L-103-a

(h) *Applicability of Order L-103-a.* In addition to the restrictions of this order, every commercial user shall comply with the maximum inventory restrictions (60-day supply) of Supplementary Order L-103-a.

#### Exceptions

(i) *Small-user exception.* The restrictions of this order shall not apply to any commercial user who accepts no more than a total of \$1,000 worth (cost price to him) of empty new glass containers for all classes of listed products for the entire quota period.

(j) *Exception for stocks in transit.* The restrictions of this order shall not apply to any empty new glass containers placed in transit to a commercial user before July 1, 1943, even though received by him on or after July 1, 1943. This exception shall not apply to any empty new glass containers set aside for a commercial user before July 1, 1943 by a supplier but not placed in transit to him until on or after that date.

(k) *Assignment of special quota (malt beverages).* A special quota may be assigned by the War Production Board to any malt beverage bottler if the new containers accepted by him during his base period were principally non-returnable bottles, and if the quota computed on the resulting base quantity is inadequate for his operations at a rate consistent with the reductions generally contemplated by the quota restrictions of this order.

(l) *Multiple-unit users.* Any commercial user who uses glass containers at more than one plant may choose to compute and apply a separate quota for each plant (or groups of plants) or a collective quota for all such plants. Any organization which consists of a parent corporation and one or more wholly-owned subsidiary corporations may consider itself as a single commercial user for purposes of this paragraph.

#### Quota-Exemptions

(m) *Quota-exemptions (except for beverages).* In addition to his quota of glass containers for any class of listed products (other than beverages as defined in Schedule I) and free of the restrictions of paragraphs (e) and (f) above, any commercial user may accept delivery of the number of glass containers used, or actually to be used, during the quota period for delivering that class of listed products to or for any of the following persons:

(1) Army, Navy, Marine Corps, Maritime Commission, or War Shipping Administration of the United States (including persons operating vessels for

such Administration or Commission for use thereon).

(2) Any person for packing products for retail sale or distribution through post-exchanges, sales commissaries, officers' messes, servicemen's clubs, ship service stores, or outlets; provided same are located at Army or Navy camps, are not operated for private profit and are established primarily for the use of Army or Navy enlisted personnel within Army or Navy establishments or on Army or Navy vessels.

(3) American Red Cross, United Service Organizations, or such other non-profit Defense Recreation Committees, engaged in the operation of recreation centers in the forty-eight states of the United States or the District of Columbia solely for military personnel, as are certified to be within the exemption provided by this paragraph by the Office of Defense Health and Welfare Services, OEM.

(4) Any agency of the United States purchasing for a foreign country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(n) *Quota-exemptions for beverages.* In addition to his quota of glass containers for beverages (as defined in Schedule I) and free of the restrictions of paragraphs (e) and (f) above, any commercial user may accept delivery of the following portion of the number of new or used glass containers used, or actually to be used, during the quota period for delivering beverages to or for any of the persons listed under paragraph (m) above:

(1) *Export shipment.* The full amount of glass containers for delivering beverages to or for any such person for shipment to points outside the continental United States.

(2) *Domestic consumption.* 8% of the full amount of glass containers for delivering beverages to or for any such person for use or distribution within the continental United States.

#### Miscellaneous Provisions

(o) *Restriction on changing choices.* After choosing his base period and the method of computing quotas for multiple-unit organizations, no commercial user shall thereafter change his choice, unless authorized by the War Production Board.

(p) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter, referring to the particular provision appealed from and stating fully the grounds for the appeal.

(q) *Communications.* All communications concerning this order shall be addressed to: War Production Board, Containers Division, Washington 25, D. C., Ref.: L-103-b.

(r) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(s) *Expiration.* This order shall expire at the close of business October 31, 1943, unless previously revoked or extended.

Issued 24th day of August 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

#### SCHEDULE I—LISTED PRODUCTS AND QUOTA PERCENTAGES

Acceptances of empty new glass containers for packing the classes of products listed in Column 2 below are subject to the quota restrictions of Order L-103-b. The percentage listed in Column 3 below for each class is the quota percentage to be used in computing the quota for that class, as provided for in paragraph (b) of the Order.

(NOTE.—Table amended Aug. 24, 1943.)

Class No.	Class of Product	Quota Percentage
(1)	(2)	(3)
I-----	Chemicals <sup>1</sup> household and industrial supply (only the items listed in Schedule III of Order M-104, but excluding cosmetics).	Percent 80
II-----	Beverages (malt and non-alcoholic beverages as defined in Schedule IV of Order M-104).	65
III-----	Coffee.	175
IV-----	Distilled spirits; cordials.	65
V-----	Wines.	65
X-----	All other products (including cosmetics, but not including (a) products listed in Schedules I and II of Order M-104 and (b) shortening).	65

<sup>1</sup> For coffee, Base Period A shall be the 4-month period from July 1 through October 31, 1941, and Base Period B shall be the 12-month period January 1 through December 31, 1941.

#### [Interpretation 1 of Order L-103-b]

Paragraph (b) of Order L-103-b (§ 3270.36) prohibits commercial users from accepting delivery, having manufactured, or having set aside by their suppliers for their account more than their quota of empty new glass containers for packing any class of listed products. This does not mean that a commercial user has one quota for acceptances, a second quota for amounts which he may have manufactured, and a third quota for amounts which he may have set aside. It means that the amounts he accepts, and the amounts he has manufactured, and the amounts he has set aside are all chargeable to the same quota.

Issued this 24th day of August 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-13813; Filed, August 24, 1943; 11:32 a. m.]

#### Subchapter C—Director, Office of War Utilities

#### PART 4500—ELECTRIC, GAS, WATER, AND STEAM UTILITIES—MATERIALS

##### [Supplementary Utilities Order U-1-f]

§ 4500.7 *Supplementary Utilities Order U-1-f—(a) Definitions.* For the purposes of this Supplementary Order:

(1) "Domestic consumer" means a prospective consumer who is requesting

an extension of service to a building used exclusively for dwelling purposes.

(2) "Industrial consumer" means a prospective consumer who is requesting an extension of service to a building used in whole or in part for the manufacture, processing or assembly of products or materials.

(3) "Commercial consumer" means a prospective consumer not classified in this order as "domestic" or "industrial."

(b) *Permission to build certain extensions.* Notwithstanding the provisions of paragraph (h) (1) of Utilities Order U-1, facilities other than temporary facilities may be built by producers to furnish electric, gas, water and central steam heating service, provided that all of the following conditions are satisfied:

(1) Where construction or remodeling by the consumer is involved, no specific direction, order, certificate or other authorization for construction has been issued by the War Production Board to authorize such construction or remodeling. If such authorization has been issued, the construction of utility facilities is governed by Supplementary Utilities Order U-1-d.

(2) In the case of gas and electric facilities to serve domestic consumers, the dwelling to be served is in a locality listed in Schedule A of this order.

(3) In the case of facilities to serve industrial or commercial consumers:

(i) The cost of utilities facilities, including any part thereof built by or for the consumer does not exceed \$1500 in the case of underground construction or \$500 in the case of other construction, and

(ii) The consumer is engaged in the manufacture of a product or in the conduct of a business or activity listed in Schedules I or II of CMP Regulation 5, as amended.

(4) Utility facilities can be built within the limits of the Utilities Construction Standards, shown on Schedule B of this order.

(5) The connection does not duplicate an adequate service already installed, or constitute a stand-by service, or an enlargement of a service already installed.

(6) No other producer can render the same service with less use of critical material.

(c) This order does not constitute a release, in the case of gas producers or consumers, from the provisions of Limitation Orders L-31 or L-174.

Issued this 24th day of August 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

#### SCHEDULE A

Localities in which extensions of utilities services are permissible under the provisions of this Supplementary Utilities Order U-1-f.

In the case of localities listed below where the United States Department of Commerce, Bureau of the Census, has established a "Metropolitan Area," extension of service pursuant to the provisions of this order, U-1-f, can be made anywhere within such area; localities in which the Bureau of the Census

has designated a Metropolitan Area are indicated in the following list by an asterisk. In the remainder of the localities listed below where no Metropolitan Area has been established by the Bureau of the Census, extensions pursuant to the provisions of this supplementary order, U-1-f, may be made anywhere within the city or corporate limits of the locality and at a distance not to exceed ten miles in a straight line from such city or corporate limits.

LOCALITY	
Alabama:	Iowa:
*Birmingham	*Des Moines
Huntsville	Kansas:
*Mobile	Eudora
Muscle Shoals	*Kansas City
Arizona:	(see Kansas City,
*Phoenix	Mo.)
Tucson	Winfield
Yuma	Kentucky:
Arkansas:	Fort Knox
Blytheville	*Louisville
Pine Bluff	Morganfield
Newport	Richmond
Stuttgart	Louisiana:
California:	Alexandria
*Los Angeles	Baton Rouge
Oxnard	*New Orleans
San Bernardino	Maine:
Riverside	Bath-Brunswick
*San Diego	Houlton
*San Francisco	*Portland
*San Jose	Presque Isle
*Stockton	Maryland:
Colorado:	Aberdeen
Colorado Springs	*Baltimore
*Denver	Edgewood
Pando	Elkton
*Pueblo	St. Mary's County
Connecticut:	Massachusetts:
*Bridgeport	Camp Edwards
Bristol	Greenfield
*Hartford	Lynn
Meriden	Quincy-Hingham
New Britain	*Worcester
*New Haven	Michigan:
New London	Adrian
Stamford	Battle Creek
*Waterbury	Benton Harbor
Delaware:	*Detroit
*Wilmington	*Flint
District of Columbia:	Jackson
*Washington	Muskegon
Florida:	*Saginaw-Bay City
*Jacksonville	Midland
Key West	Minnesota:
Panama City	*Duluth
Pensacola	Mississippi:
*Tampa	Biloxi
Georgia:	Grenada
*Atlanta-Marletta	Gulfport
Brunswick	Pascagoula
*Macon-Wellston	Missouri:
*Savannah	*Kansas City
Idaho:	Warrenton
Bayview-Coeur	Montana:
d'Alene	Butte
Mountain Home	Columbus
Pocatello	Great Falls
Illinois:	Nebraska:
*Chicago	Alliance
*Decatur-Springfield	Grand Island
DeKalb	Hastings
*Rockford	Sidney
Indiana:	Wahoo
Anderson	Nevada:
Connersville	Las Vegas
*Evansville	New Hampshire:
*Fort Wayne	Claremont
Gary-Hammond	Portsmouth
*Indianapolis	Somersworth
Richmond-New-	New Jersey:
castle	Camden
*South Bend	*North Eastern
Terre Haute	New Jersey Area

New Jersey—Con.  
Red Bank-Long Branch  
\*Trenton  
New York:  
\*Buffalo-Niagara Falls  
Elmira  
\*Schenectady  
\*Syracuse  
\*Utica-Rome  
North Carolina:  
Burlington  
Goldsboro  
Laurinburg  
New Bern  
Wilmington  
Ohio:  
\*Cincinnati  
\*Cleveland  
\*Dayton  
\*Hamilton-Middle-town  
Lima  
Mansfield  
Medina  
Newark  
Port Clinton  
Sidney-Piqua-Troy  
\*Springfield  
\*Toledo  
Oklahoma:  
McAlester  
\*Oklahoma City  
\*Tulsa  
Oregon:  
Astoria  
Bend  
Corvallis  
\*Portland-Vancouver  
Pennsylvania:  
\*Allentown-Bethlehem  
Beaver County  
Chambersburg  
Charleroi  
Coatesville  
Pennsylvania:  
\*Erie  
\*Harrisburg  
Bristol  
\*Pittsburgh  
\*Pottstown-Reading  
Chester

Rhode Island:  
Newport  
\*Providence  
Quonset Point  
South Carolina:  
\*Charleston  
South Dakota:  
\*Brook-Edgemont  
Sioux Falls  
Tennessee:  
Bristol-Kingsport  
\*Memphis  
Texas:  
\*Amarillo  
\*Beaumont-Orange-Port Arthur  
\*Corpus Christi  
\*Dallas  
\*Fort Worth  
\*Galveston-Texas City  
\*Houston  
Texarkana  
Utah:  
Draper  
Ogden  
Provo  
\*Salt Lake City  
Teele  
Wendover  
Vermont:  
Springfield  
Windsor  
Virginia:  
\*Newport News  
\*Norfolk-Portsmouth  
Washington:  
Bremerton  
Everett  
\*Seattle-Redton  
\*Spokane  
\*Tacoma  
Wisconsin:  
\*Madison-Merrimac  
\*Racine-Kenosha  
\*Superior (See Duluth, Minn.)  
Wyoming:  
Casper  
Cheyenne  
Laramie  
Ravalli  
Rock Springs

## SCHEDULE B

## UTILITIES CONSTRUCTION STANDARDS

The material used in extensions permitted by Supplementary Utilities Order U-1-f must conform to this Schedule B, and must not exceed, within the dollar value limits of paragraph (b) (3) (1) of this order, the quantities shown below for each domestic, industrial, or commercial consumer as defined in paragraph (a) of this order.

## A. PERMITTED TYPES OF CONDUCTOR AND PIPE

## I. Electric conductor for primary:

a. Steel, or  
b. Any other type of conductor not consisting exclusively of copper, which is available in the producer's inventory in excess of a practical working minimum, or in such excess inventory of another producer, and having a conductivity equal to or less than #6 AWG copper conductor.

II. Electric conductor for secondary: No limitation except for domestic extensions. In the case of domestic: any type of conductor having a conductivity equivalent to or less than that of #6 AWG copper conductor.

## III. Pipe:

a. Cast iron, for working pressures of 100 pounds or less.

b. Steel, for working pressures of over 100 pounds, or for working pressures of 100 pounds or less provided it is available in the producer's excess inventory or in the excess inventory of another producer.

## c. Non-metallic.

## D. PERMITTED QUANTITIES OF CONDUCTOR AND PIPE, OTHER THAN NON-METALLIC

I. Domestic consumers—*a. For electric extensions:*

(1) For primary lines, up to 900 conductor feet of any conductor permitted by section I above.

(2) For secondary lines and service drops, up to 20 pounds of non-ferrous metal in conductor, less one pound of non-ferrous metal for each 90 conductor feet or fraction thereof of conductor used in the primary extension. *Provided, however,* That up to 45 pounds of copper in conductor may be used in the extension of secondary and service drops, if the service may be rendered from a transformer already installed and in service.

*b. For gas or central steam heating extensions:*

(1) Up to 170 pounds of steel pipe or 1200 pounds of cast iron pipe.

(2) A combination involving not more than 170 pounds of steel pipe and not more than 1200 pounds of cast iron pipe less twice the weight of any steel pipe used.

*c. For water extensions:*

(1) Up to 170 pounds of steel pipe, or 1200 pounds of cast iron pipe, or 600 pounds of lead or lead alloy pipe, or

(2) Either of the following combinations:

(a) not more than 170 pounds of steel pipe and not more than 1200 pounds of cast iron pipe less twice the weight of any steel pipe used.

(b) not more than 600 pounds of lead or lead-alloy pipe and not more than 1200 pounds of cast iron pipe less the weight of any lead or lead alloy pipe used.

II. Industrial consumers—The smallest size or quantities of equipment, conductor, or pipe required to furnish electricity, gas, water, or central steam heat at minimum service standards.

III. Commercial consumers—*a. For electric extensions:*

(1) For primary lines, up to 900 conductor feet of any conductor permitted by Section I above.

(2) For secondary lines and service drops, up to 40 pounds of non-ferrous metal in conductor, less one pound of non-ferrous metal for each 90 conductor feet or fraction thereof of conductor used in the primary extension: *provided however,* that up to 65 pounds of copper in conductor may be used in the extension of secondary and service drops, if the service may be rendered from a transformer, already installed and in service.

*b. For gas or central steam heat extensions:*

(1) Up to 250 pounds of steel pipe, or 1800 pounds of cast iron pipe, or

(2) A combination of not more than 250 pounds of steel pipe and not more than 1800 pounds of cast iron pipe less twice the weight of any steel pipe used.

*c. For water extensions:*

(1) Up to 250 pounds of steel pipe, or 1800 pounds of cast iron pipe, or 1000 pounds of lead or lead alloy pipe, or

(2) Either of the following combinations:

(a) not more than 250 pounds of steel pipe, and not more than 1800 pounds of cast iron pipe less twice the weight of any steel pipe used, or

(b) not more than 1000 pounds of lead or lead alloy pipe, and 1800 pounds of cast iron pipe less the weight of any lead pipe used.

## C. PERMITTED QUANTITIES OF NON-METALLIC PIPE

Non-metallic pipe of a length not greater than that length which would be installed if cast iron pipe were used in accordance with the quantities in the above standards.

[F. R. Doc. 43-13815; Filed, August 24, 1943; 11:32 a. m.]

Chapter XI—Office of Price  
AdministrationPART 1364—FRESH, CURED AND CANNED  
MEAT AND FISH PRODUCTS

[MPR 418, Amdt. 4]

## FRESH FISH AND SEAFOOD

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Maximum Price Regulation 418 is amended in the following respects:

1. Section 2 (c) is added to read as follows:

(c) *Sales to canners.* The applicable prices in Table A shall apply to sales of fresh fish and seafood to canners by any person.

2. Section 3 (a) (1) is amended to read as follows:

(1) *Maximum prices for sales by a primary fish shipper wholesaler.* Maximum prices for sales by a primary fish shipper wholesaler or agent or other per-

son acting on behalf, or under control of such primary fish shipper wholesaler, are the prices listed in Table B (Article IV, section 20 (b)). These are prices for bulk fish and seafood f. o. b. his established place of doing business. For fish and seafood that are placed in containers the prices shall be the prices set forth in Table B plus the container prices provided in section 19. These prices shall apply to sales by a primary fish shipper wholesaler to wholesalers who are also retailers.

3. Section 13 (c) is added to read as follows:

(c) Every person making a sale of any fresh fish or seafood subject to this regulation shall furnish to the purchaser at the time of delivery a written statement setting forth the date; the name and address of the buyer and seller; the species sold; the quantity, sizes, grades, and styles of dressing of fresh fish and seafood, and the price charged therefor, including a separate statement of the container cost, if any, as provided in section 19, and transportation cost, if any, as provided in section 7.

4. Section 20 is amended by inserting after the words "shall apply to any sale of that species dressed in a style not

listed" the words "and for this purpose round is to be considered a style of dressing."

5. In section 20, Table A, Schedule No. 2, the size of Item No. 5 is added to read "Under 1½ #".

6. In section 20, Table A, Schedule No. 7, the size of Item No. 3 is added to read "Under 1½ #".

7. In section 20, Table A, Schedule No. 8, the size of Item No. 3 is added to read "Under 1½ #".

8. In section 20, Table A, Schedule No. 11, the size of Item No. 3 is amended to read "1½ # to 2½ #" instead of "Under 2½ #".

9. In section 20, Table A, the name of Schedule No. 18 is amended by adding "(Chlamys hindsi) (Chlamys hericulus)".

10. In section 20, Table A, Schedule No. 24, the size of Item No. 1 is amended to read "All sizes" instead of "6 lb. & over".

11. In section 20, Table A, Schedule No. 24, Item No. 2 is hereby revoked.

12. In section 20, Table A, Schedule No. 27, the size of Item No. 2 is amended to read "Under 14 lbs." instead of "7 to 14 lb".

13. In section 20, Table A is amended by adding the following items to read as follows:

TABLE A.—MAXIMUM PRICES FOR PRODUCERS OF FRESH FISH AND SEAFOOD

Schedule No.	Name	Item No.	Style of dressing	Size	Price in cents per pound											
					January		February		March		April		May		June	
					Bulk ex-vessel	Boxed	Bulk ex-vessel	Boxed	Bulk ex-vessel	Boxed	Bulk ex-vessel	Boxed	Bulk ex-vessel	Boxed	Bulk ex-vessel	Boxed
2	Codfish ( <i>Gadus callarias</i> ).....	6	Round	1½# to 2½#	.04	.05	.04	.05	.04	.05	.03	.04	.03	.04	.03	.04
		7	Round	2½# to 10#	.05	.06	.05	.06	.05	.06	.03½	.04½	.03½	.04½	.03½	.04½
		8	Round	10# to 25#	.05½	.06½	.05½	.06½	.05½	.06½	.04	.05	.04	.05	.04	.05
7	Haddock ( <i>Melanogrammus aeglefinus</i> ).....	9	Round	25# up	.05	.06	.05	.06	.05	.06	.03½	.04½	.03½	.04½	.03½	.04½
		4	Round	1½# to 2½#	.05½	.06½	.05½	.06½	.05½	.06½	.03½	.04½	.03½	.04½	.03½	.04½
		5	Round	2½# up	.05½	.06½	.05½	.06½	.05½	.06½	.04½	.05½	.04½	.05½	.04½	.05½
8	Hake ( <i>Urophycis</i> species).....	4	Round	1½# to 2½#	.03½	.04½	.03½	.04½	.03½	.04½	.02½	.03½	.02½	.03½	.02½	.03½
		5	Round	2½# up	.04½	.05½	.04½	.05½	.04½	.05½	.03½	.04½	.03½	.04½	.03½	.04½
		6	Round	Under 1½#	.03	.04	.03	.04	.03	.04	.02	.03	.02	.03	.02	.03
11	Pollock ( <i>Pollachius virens</i> ).....	4	Round	Under 1½#	.03	.04	.03	.04	.03	.04	.02	.03	.02	.03	.02	.03
		5	Round	2½# up	.04½	.05½	.04½	.05½	.04½	.05½	.03½	.04½	.03½	.04½	.03½	.04½
		6	Round	All sizes	.10	.....	.10	.....	.10	.....	.10	.....	.10	.....	.10	.....
24a	Salmon, seine caught, Pacific Chinook (King) ( <i>Oncorhynchus tshawytscha</i> ). <sup>1</sup>	1	Round	All sizes	.10	.....	.10	.....	.10	.....	.10	.....	.10	.....	.10	.....

  

Schedule No.	Name	Item No.	Style of dressing	Size	Price in cents per pound											
					July		August		September		October		November		December	
					Bulk ex-vessel	Boxed	Bulk ex-vessel	Boxed	Bulk ex-vessel	Boxed	Bulk ex-vessel	Boxed	Bulk ex-vessel	Boxed	Bulk ex-vessel	Boxed
2	Codfish ( <i>Gadus callarias</i> ).....	6	Round	1½# to 2½#	.03	.04	.03	.04	.03	.04	.04	.05	.04	.05	.04	.05
		7	Round	2½# to 10#	.03½	.04½	.03½	.04½	.03½	.04½	.05	.06	.05	.06	.05	.06
		8	Round	10# to 25#	.04	.05	.04	.05	.04	.05	.05½	.06½	.05½	.06½	.05½	.06½
7	Haddock ( <i>Melanogrammus aeglefinus</i> ).....	9	Round	25# up	.03½	.04½	.03½	.04½	.03½	.04½	.05	.06	.05	.06	.05	.06
		4	Round	1½# to 2½#	.03½	.04½	.03½	.04½	.03½	.04½	.05½	.06½	.05½	.06½	.05½	.06½
		5	Round	2½# up	.04½	.05½	.04½	.05½	.04½	.05½	.05½	.06½	.05½	.06½	.05½	.06½
8	Hake ( <i>Urophycis</i> species).....	4	Round	1½# to 2½#	.02½	.03½	.02½	.03½	.02½	.03½	.03½	.04½	.03½	.04½	.03½	.04½
		5	Round	2½# up	.03½	.04½	.03½	.04½	.03½	.04½	.04½	.05½	.04½	.05½	.04½	.05½
		6	Round	Under 1½#	.02	.03	.02	.03	.02	.03	.02	.03	.02	.03	.02	.03
11	Pollock ( <i>Pollachius virens</i> ).....	4	Round	Under 1½#	.02	.03	.02	.03	.02	.03	.02	.03	.02	.03	.02	.03
		5	Round	2½# up	.03½	.04½	.03½	.04½	.03½	.04½	.04½	.05½	.04½	.05½	.04½	.05½
		6	Round	All sizes	.10	.....	.10	.....	.10	.....	.10	.....	.10	.....	.10	.....
24a	Salmon, seine caught, Pacific Chinook (King) ( <i>Oncorhynchus tshawytscha</i> ). <sup>1</sup>	1	Round	All sizes	.10	.....	.10	.....	.10	.....	.10	.....	.10	.....	.10	.....

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup> 8 F.R. 9366, 10086, 10513, 10939.

14. Footnote 19 is added to the end of Table A in section 20 to read as follows:

<sup>20</sup> Aug. 1 to Aug. 15 inclusive.

15. Footnote 20 is added to the end of Table A in section 20 to read as follows:

<sup>20</sup> Aug. 16 to Aug. 31 inclusive.

16. In section 20, Table B, Schedule No. 2, the size of Item No. 6 is amended to read "Under 1½ #” instead of "Under 2½ lbs”.

17. In section 20, Table B, Schedule No. 7, the size of Item No. 3 is amended to read "Under 1½ #” instead of "All sizes”.

18. In section 20, Table B, Schedule No. 8, the size of Item No. 3 is amended to read "Under 1½ #” instead of "All sizes”.

19. In section 20, Table B, Schedule No. 11, the size of Item No. 3 is amended to read "1½ # to 2½ #” instead of "Under 2½ lbs”.

20. In section 20, Table B, the name of Schedule No. 18 is amended by adding "(Chlamys hindsi) (Chlamys hericulus)”.

21. In section 20, Table B, Schedule No. 24, the size of Item No. 1 is amended to read "All sizes” instead of "6 lbs. and over”.

22. In section 20, Table B, Schedule No. 24, Item No. 2 is hereby revoked.

23. In section 20, Table B, Schedule No. 24, Item No. 3 is redesignated "2” instead of "3”.

24. In section 20, Table B, Schedule No. 33 is amended by adding the designations Schedule Nos. 34 and 34A thereto so that it will read "Schedule Nos. 33, 34 and 34A”.

25. In section 20, Table B is amended by changing the prices of Item No. 2, Fillets, of Schedule No. 24 and adding the following items to read as follows:

TABLE B.—MAXIMUM PRICES FOR PRIMARY FISH SHIFTER SALES OF FRESH FISH AND SEAFOOD

Schedule No.	Name	Item No.	Style of dressing	Size	Price in cents per pound											
					January	February	March	April	May	June	July	August	September	October	November	December
2	Codfish ( <i>Gadus callarias</i> )	11	Round	1½ # to 2½ #	.03	.03	.03	.03	.03	.03	.03	.03	.03	.03	.03	.03
		12	Round	2½ # to 10 #	.07	.07	.07	.07	.07	.07	.07	.07	.07	.07	.07	.07
		13	Round	10 # to 2½ #	.07	.07	.07	.07	.07	.07	.07	.07	.07	.07	.07	.07
		14	Round	2½ # up	.07	.07	.07	.07	.07	.07	.07	.07	.07	.07	.07	.07
7	Haddock ( <i>Melanogrammus aeglefinus</i> )	6	Round	1½ # to 2½ #	.07	.07	.07	.07	.07	.07	.07	.07	.07	.07	.07	.07
8	Hake ( <i>Urophycis</i> species)	7	Round	2½ # up	.07	.07	.07	.07	.07	.07	.07	.07	.07	.07	.07	.07
		5	Round	1½ # to 2½ #	.07	.07	.07	.07	.07	.07	.07	.07	.07	.07	.07	.07
		6	Round	2½ # up	.07	.07	.07	.07	.07	.07	.07	.07	.07	.07	.07	.07
11	Pollock ( <i>Pollachius virens</i> )	6	Round	Under 1½ #	.03	.03	.03	.03	.03	.03	.03	.03	.03	.03	.03	.03
24	Ling Cod (Pacific Coast) ( <i>Ophiodon elongatus</i> )	3	Fillets	All sizes	.22	.22	.22	.22	.22	.22	.22	.22	.22	.22	.22	.22

26. In section 20, Table C, Schedule No. 2, the size of Item No. 6 is amended to read "Under 1½ #” instead of "Under 2½ lb”.

27. In section 20, Table C, Schedule No. 7, the size of Item No. 3 is amended to read "Under 1½ #” instead of "All sizes”.

28. In section 20, Table C, Schedule No. 8, the size of Item No. 3 is amended to read "Under 1½ #” instead of "All sizes”.

29. In section 20, Table C, Schedule No. 11, the size of Item No. 3 is amended to read "1½ # to 2½ #” instead of "Under 2½ lb”.

30. In section 20, Table C, the name of Schedule No. 18 is amended by adding "(Chlamys hindsi) (Chlamys hericulus)”.

31. In section 20, Table C, Schedule No. 24, the size of Item No. 1 is amended to read "All sizes” instead of "6 lb. and over”.

32. In section 20, Table C, Schedule No. 24, Item No. 2 is hereby revoked.

33. In section 20, Table C, Schedule No. 24, Item No. 3 is redesignated "2” instead of "3”.

34. In section 20, Table C, Schedule No. 33 is amended by adding the designations Schedule Nos. 34 and 34A thereto so that it will read "Schedule Nos. 33, 34 and 34A”.

35. In section 20, Table C is amended by changing the prices of Item No. 2, Fillets, of Schedule No. 24 and adding the following items to read as follows:

TABLE C.—MAXIMUM PRICES FOR RETAILER-OWNED COOPERATIVE SALES OF FRESH FISH AND SEAFOOD

Schedule No.	Name	Item No.	Style of dressing	Size	Price in cents per pound											
					January	February	March	April	May	June	July	August	September	October	November	December
2	Codfish ( <i>Gadus callarias</i> )	11	Round	1½ # to 2½ #	.07	.07	.07	.07	.07	.07	.07	.07	.07	.07	.07	.07
		12	Round	2½ # to 10 #	.03	.03	.03	.03	.03	.03	.03	.03	.03	.03	.03	.03
		13	Round	10 # to 2½ #	.03	.03	.03	.03	.03	.03	.03	.03	.03	.03	.03	.03
		14	Round	2½ # up	.03	.03	.03	.03	.03	.03	.03	.03	.03	.03	.03	.03
7	Haddock ( <i>Melanogrammus aeglefinus</i> )	6	Round	1½ # to 2½ #	.07	.07	.07	.07	.07	.07	.07	.07	.07	.07	.07	.07
8	Hake ( <i>Urophycis</i> species)	7	Round	2½ # up	.07	.07	.07	.07	.07	.07	.07	.07	.07	.07	.07	.07
		5	Round	1½ # to 2½ #	.07	.07	.07	.07	.07	.07	.07	.07	.07	.07	.07	.07
		6	Round	2½ # up	.07	.07	.07	.07	.07	.07	.07	.07	.07	.07	.07	.07
11	Pollock ( <i>Pollachius virens</i> )	6	Round	Under 1½ #	.03	.03	.03	.03	.03	.03	.03	.03	.03	.03	.03	.03
24	Ling Cod (Pacific Coast) ( <i>Ophiodon elongatus</i> )	3	Fillets	All sizes	.22	.22	.22	.22	.22	.22	.22	.22	.22	.22	.22	.22

36. In section 20, Table D, Schedule No. 2, the size of Item No. 6 is amended to read "Under 1½ #” instead of "Under 2½ lb”.

37. In section 20, Table D, Schedule No. 7, the size of Item No. 3 is amended to read "Under 1½ #” instead of "All sizes”.

38. In section 20, Table D, Schedule No. 8, the size of Item No. 3 is amended to read "Under 1½ #” instead of "All sizes”.

39. In section 20, Table D, Schedule No. 11, the size of Item No. 3 is amended to read "1½ # to 2½ #” instead of "Under 2½ lb”.

40. In section 20, Table D, the name of Schedule No. 18 is amended by adding "(Chlamys hindsi) (Chlamys hericulus)”.

41. In section 20, Table D, Schedule No. 24, the size of Item No. 1 is amended to read "All sizes” instead of "6 lbs. and over”.

42. In section 20, Table D, Schedule No. 24, Item No. 2 is hereby revoked.

43. In section 20, Table D, Schedule No. 24, Item No. 3 is redesignated "2” instead of "3”.

44. In section 20, Table D, Schedule No. 33 is amended by adding the designations Schedule Nos. 34 and 34A thereto so that it will read "Schedule Nos. 33, 34 and 34A”.

45. In section 20, Table D is amended by changing the prices of Item No. 2, Fillets, of Schedule No. 24 and adding the following items to read as follows:



TABLE D.—MAXIMUM PRICES FOR CASH AND CARRY SALES OF FRESH FISH AND SEAFOOD

Schedule No.	Name	Item No.	Style of dressing	Size	Price in cents per pound											
					January	February	March	April	May	June	July	August	September	October	November	December
2	Codfish ( <i>Gadus callarias</i> )	11	Round	1½# to 2½#	.08	.08	.08	.07	.07	.07	.07	.07	.07	.08	.08	.08
			Round	2½# to 10#	.09	.09	.09	.07½	.07½	.07½	.07½	.07½	.07½	.09	.09	.09
			Round	10# to 25#	.09½	.09½	.09½	.08	.08	.08	.08	.08	.08	.09½	.09½	.09½
			Round	25# up	.09	.09	.09	.07½	.07½	.07½	.07½	.07½	.07½	.09	.09	.09
7	Haddock ( <i>Melanogrammus aeglefinus</i> )	6	Round	1½# to 2½#	.08½	.08½	.08½	.07½	.07½	.07½	.07½	.07½	.07½	.09½	.09½	.09½
			Round	2½# up	.09½	.09½	.09½	.08½	.08½	.08½	.08½	.08½	.08½	.09½	.09½	.09½
8	Hake ( <i>Urophycis species</i> )	5	Round	1½# to 2½#	.07½	.07½	.07½	.06½	.06½	.06½	.06½	.06½	.06½	.07½	.07½	.07½
			Round	2½# up	.08½	.08½	.08½	.07½	.07½	.07½	.07½	.07½	.07½	.08½	.08½	.08½
11	Pollock ( <i>Pollachius virens</i> )	6	Round	Under 1½#	.07	.07	.07	.06	.06	.06	.06	.06	.06	.08	.08	.08
24	Ling Cod (Pacific Coast) ( <i>Ophiodon elongatus</i> )	3	Fillets	All sizes	.29½	.29½	.29½	.29½	.25	.25	.25	.25	.29½	.29½	.29½	.29½

46. In section 20, Table E, Schedule No. 2, the size of Item No. 6 is amended to read "Under 1½ #." instead of "Under 2½ lbs".

47. In section 20, Table E, Schedule No. 7, the size of Item No. 3 is amended to read "Under 1½ #." instead of "All sizes".

48. In section 20, Table E, Schedule No. 8, the size of Item No. 3 is amended to read "Under 1½ #." instead of "All sizes".

49. In section 20, Table E, Schedule No. 11, the size of Item No. 3 is amended to read "1½ # to 2½ #." instead of "Under 2½ lbs".

50. In section 20, Table E, the name of Schedule No. 18 is amended by adding "(*Chlamys hindsi*) (*Chlamys hericius*)".

51. In section 20, Table E, Schedule No. 24, the size of Item No. 1 is amended to read "All sizes" instead of "6 lbs. and over".

52. In section 20, Table E, Schedule No. 24, Item No. 2 is hereby revoked.

53. In section 20, Table E, Schedule No. 24, Item No. 3 is redesignated "2" instead of "3".

54. In section 20, Table E, Schedule No. 33 is amended by adding the designations Schedule Nos. 34 and 34A thereto so that it will read "Schedule Nos. 33, 34 and 34A".

55. In section 20, Table E is amended by changing the prices of Item No. 2, Fillets, of Schedule No. 24 and adding the following items to read as follows:

TABLE E.—MAXIMUM PRICES FOR SERVICE AND DELIVERY SALES OF FRESH FISH AND SEAFOOD

Schedule No.	Name	Item No.	Style of dressing	Size	Price in cents per pound											
					January	February	March	April	May	June	July	August	September	October	November	December
2	Codfish ( <i>Gadus callarias</i> )	11	Round	1½# to 2½#	.10½	.10½	.10½	.09½	.09½	.09½	.09½	.09½	.09½	.10½	.10½	.10½
			Round	2½# to 10#	.11½	.11½	.11½	.10	.10	.10	.10	.10	.10	.11½	.11½	.11½
			Round	10# to 25#	.12	.12	.12	.10½	.10½	.10½	.10½	.10½	.10½	.12	.12	.12
			Round	25# up	.11½	.11½	.11½	.10	.10	.10	.10	.10	.10	.11½	.11½	.11½
7	Haddock ( <i>Melanogrammus aeglefinus</i> )	6	Round	1½# to 2½#	.11½	.11½	.11½	.10½	.10½	.10½	.10½	.10½	.10½	.11½	.11½	.11½
			Round	2½# up	.12½	.12½	.12½	.10½	.10½	.10½	.10½	.10½	.10½	.12½	.12½	.12½
8	Hake ( <i>Urophycis species</i> )	5	Round	1½# to 2½#	.09½	.09½	.09½	.08½	.08½	.08½	.08½	.08½	.08½	.09½	.09½	.09½
			Round	2½# up	.10½	.10½	.10½	.09½	.09½	.09½	.09½	.09½	.09½	.10½	.10½	.10½
11	Pollock ( <i>Pollachius virens</i> )	6	Round	Under 1½#	.09½	.09½	.09½	.08½	.08½	.08½	.08½	.08½	.08½	.09½	.09½	.09½
24	Ling Cod (Pacific Coast) ( <i>Ophiodon elongatus</i> )	3	Fillets	All sizes	.32½	.32½	.32½	.32½	.27½	.27½	.27½	.27½	.32½	.32½	.32½	.32½

This amendment shall become effective August 25, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 23d day of August 1943.

CHESTER BOWLES,  
Acting Administrator.

[F. R. Doc. 43-13734; Filed, August 23, 1943; 12:08 p. m.]

#### PART 1382—HARDWOOD LUMBER

[MPR 458]

#### OAK FLOORING

In the judgment of the Price Administrator, it is necessary and proper to establish specific maximum prices for the sales of oak flooring. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate

the purposes of the Emergency Price Control Act of 1942, as amended. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.\*

§ 1382.303 *Maximum prices for oak flooring.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328, Maximum Price Regulation No. 458 (Oak Flooring) which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1382.303 issued under 56 Stat. 23, 765; Public Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

MAXIMUM PRICE REGULATION No. 458—OAK FLOORING

#### ARTICLE I—SCOPE OF THE REGULATION

##### Sec.

- Prices higher than ceiling prohibited.
- What products, transactions, and persons are covered.

\*Copies may be obtained from the Office of Price Administration.

#### ARTICLE II—MAXIMUM PRICES AND TERMS OF SALE

- Maximum f. o. b. mill prices.
- Delivered prices.
- Grades, services, or extras not listed.

#### ARTICLE III—SPECIFIC DUTIES AND PRIVILEGES AND PROHIBITED PRACTICES

- Adjustable pricing.
- Petitions for adjustment or amendment.
- Prohibited practices.
- Records.
- Enforcement.
- Imports.
- Relation to other regulations.

#### ARTICLE IV—PRICE TABLES

Table 1. Maximum prices for standard grades and Victory Grade oak flooring.

Table 2. Maximum prices for prefinished Red and White oak flooring.

#### Article I—Scope of the Regulation

SECTION 1. *Prices higher than ceiling prohibited.* (a) On and after August 28, 1943, regardless of any contract or other obligation, no person shall sell or deliver and no person shall buy or receive in the course of trade or business, any oak flooring for direct-mill shipment at prices higher than the maximum prices fixed

by this regulation, and no person shall agree, offer, or attempt to do any of these things.

(b) Prices lower than the maximum prices may, of course, be charged and paid.

SEC. 2. *What products, transactions, and persons are covered.* This regulation covers all direct-mill sales of standard grades and victory grade of oak flooring, graded as such under the effective Grading Rules of the National Oak Flooring Manufacturers' Association, and also prefinished oak flooring. For the purposes of the regulation, prefinished oak flooring means oak flooring that has been sanded, filled, waxed, and pressure-rubbed to form a finished product ready for immediate use after installation. The regulation applies regardless of the kind of mill or plant in which the flooring is produced, and regardless of whether the particular item is specifically priced in the price tables or not. Any person who makes a sale of this kind, for himself or others, is subject to this regulation.

#### Article II—Maximum Prices and Terms of Sale

##### SEC. 3. *Maximum f. o. b. mill prices.*

(a) The maximum f. o. b. mill prices for oak flooring are set forth in Article IV.

(b) Less than carload quantities. Where the purchaser's order requires less than carload lot shipments, an addition of \$4.00 per M' BM may be made for oak flooring shipped in less than carload lots.

SEC. 4. *Delivered prices.* The general rule is that the maximum delivered price shall be a price not higher than the f. o. b. mill maximum price plus the actual transportation charges paid or incurred by the seller in making shipment directly from the mill to the point of delivery required by the purchaser. However, it is permissible to quote and charge delivered prices based on the rail rate times the estimated weight, evened out to the nearest quarter-dollar per M' BM.

The estimated weights are contained in the following table:

Estimated Weights	
Standard Grade and Victory Grade Flooring:	Weight per M' BM (Pounds)
$\frac{3}{8}$ " x $1\frac{1}{2}$ "	1,000
$\frac{3}{8}$ " x 2"	1,000
$\frac{1}{2}$ " x $1\frac{1}{2}$ "	1,300
$\frac{1}{2}$ " x 2"	1,300
$\frac{5}{16}$ " x $1\frac{1}{2}$ "	1,200
$\frac{5}{16}$ " x 2"	1,200
$\frac{23}{32}$ " x $1\frac{1}{2}$ "	2,000
$\frac{23}{32}$ " x 2"	2,000
$\frac{25}{32}$ " x $2\frac{1}{4}$ "	2,000
$\frac{25}{32}$ " x $3\frac{1}{4}$ "	2,250
Pre-Finished Flooring:	
$\frac{23}{32}$ " x $3\frac{1}{4}$ "	2,250
$\frac{1}{2}$ " x $2\frac{1}{2}$ "	1,500
$\frac{3}{8}$ " x 2"	1,000

SEC. 5. *Grades, services, or extras not listed.* (a) If a seller wishes to sell a grade or item which is not specifically

priced in the price tables, he must apply to the Lumber Branch, Office of Price Administration, Washington, D. C., for a maximum price. He must provide the following information:

(1) The requested price;

(2) A complete description of the item to be priced;

(3) The price differential between it and the most comparable item in the price tables, in October, 1941, from the seller's own records, or if that is impossible, from experience of the trade. If no established price differential which can be used for comparison existed, a detailed analysis of the calculation of the requested price should be furnished.

(b) As soon as the request has been filed, quotations and deliveries may be made at the requested price, but the final payment may not be made until the price has been approved. Action on the request may be by letter or telegram.

#### Article III—Specific Duties and Privileges and Prohibited Practices

SEC. 6. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

SEC. 7. *Petitions for adjustment or amendment.* (a) *Government contracts.* (1) The term "Government contract" is here used to include any contract with the United States or any of its agencies or with the government or any governmental agency of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to promote the Defense of the United States". The term also includes any sub-contract under this kind of contract.

(2) Any person who has entered into or proposes to enter into a "Government contract", who believes that the maximum prices established by this regulation impede or threaten to impede production of Oak flooring essential to the

war program, may file an application for adjustment in accordance with Procedural Regulation No. 6,<sup>1</sup> as amended, by the Office of Price Administration. As soon as the application is filed, contracts, deliveries, and payments may be made at the requested price, subject to refund if the requested price is disapproved or lowered. The seller must notify the buyer that the delivery is made subject to this refund.

(b) *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1,<sup>2</sup> issued by the Office of Price Administration.

SEC. 8. *Prohibited practices.* Any practice which is a device to get the effect of a higher-than-ceiling price without actually raising the dollars-and-cents price is as much a violation of this regulation as an outright over-ceiling price. This applies to changes in credit practices and cash discounts and to devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying agreements, trade understandings and the like.

SEC. 9. *Records.* All sellers and all buyers of oak flooring for direct-mill shipment must retain a copy of the invoice covering each transaction or maintain records in other form containing a complete description of the flooring, name and address of the other party to the transaction, date of sale, and the price paid, including any special addition for extra service, working, or specification. These records must be retained for two years, for inspection by the Office of Price Administration.

SEC. 10. *Enforcement.* Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspension of licenses provided for by the Emergency Price Control Act of 1942, as amended.

SEC. 11. *Imports.* The provisions of this regulation do not apply to the purchases, sales or deliveries of the commodities named in this regulation if they originate outside of and are imported into the continental United States. Sales, purchases and deliveries of such imported commodities are governed by the provisions of the General Maximum Price Regulation, and especially the Maximum Import Price Regulation.

SEC. 12. *Relation to other regulations.* Any sale or delivery covered by this regulation is not subject to the General Maximum Price Regulation.<sup>3</sup>

<sup>1</sup> 7 F.R. 5037, 5524; 8 F.R. 6173, 6174.

<sup>2</sup> 7 F.R. 6361; 8 F.R. 3313, 3533.

<sup>3</sup> 8 F.R. 3036, 3249, 4347, 4435, 4724, 4978, 4248, 6047, 6962, 8511, 9025.

## ARTICLE IV—PRICE TABLES

TABLE 1—MAXIMUM PRICES PER M<sup>2</sup>BM FOR STANDARD GRADES AND VICTORY GRADE OAK FLOORING

Grade and species	2½ x 3¼" tongued and grooved E. M.	2½ x 2¼" tongued and grooved E. M.	2½ x 2" tongued and grooved E. M.	2½ x 1½" tongued and grooved E. M.	½ x 2" tongued and grooved E. M.	½ x 1½" tongued and grooved E. M.	¾ x 2" tongued and grooved E. M.	¾ x 1½" tongued and grooved E. M.	½ x 2" V. E. strips or square edge
Clear Quartered White Oak		\$92.00	\$82.00	\$77.00	\$84.00	\$83.00	\$75.00	\$72.00	\$85.00
Clear Quartered Red Oak		83.00	76.00	71.00	81.00	80.00	70.00	69.00	74.00
Select Quartered White Oak		78.00	73.00	65.00	70.00	65.00	56.00	55.00	68.00
Select Quartered Red Oak		79.00	74.00	66.00	71.00	68.00	58.00	57.00	69.00
Clear Plain White Oak		80.00	73.00	67.00	72.00	69.00	61.00	62.00	70.00
Clear Plain Red Oak		80.00	73.00	67.00	72.00	68.00	61.00	61.00	69.00
Select Plain White Oak		76.00	72.00	63.00	68.00	62.00	51.00	60.00	65.00
Select Plain Red Oak		76.00	70.00	65.00	67.00	63.00	52.00	60.00	65.00
No. 1 Common White Oak		71.00	65.00	56.00	63.00	58.00	47.00	46.00	63.00
No. 1 Common Red Oak		71.00	65.00	57.00	63.00	58.00	47.00	46.00	63.00
No. 2 Common Mixed Oak		64.00	47.00	42.00	43.00	37.00	33.00	35.00	30.00
No. 1 Common and Better Mixed Oak									
Shorts		60.00	53.00	48.00	50.00	46.00	43.00	39.00	31.00
No. 2 Common Mixed Oak Shorts		42.00		36.00	35.00	30.00	31.00	27.00	
Victory Grade Red or White Oak	\$75.00	70.00							

TABLE 2—MAXIMUM PRICES PER M<sup>2</sup>BM FOR PREFINISHED RED OR WHITE OAK FLOORING

Grades	2½ x 3¼"	2½ x 2¼"	2½ x 2"	½ x 2½"	½ x 2"	¾ x 2"
Prime	\$97.00			\$92.00	\$92.00	\$82.00
Standard	93.00			83.00	83.00	77.00
Standard and better	95.00	\$90.00	\$90.00	90.00	90.00	79.50

## Notes on Prefinished Red or White Oak Flooring

**Prime Grade:** Same as Select and Better Strip Oak Flooring and will average approximately 50% each Clear and Selects. Bundles: 2 feet and longer; minimum average: 4½ feet.

**Standard Grade:** A combination of No. 1 Common and No. 2 Common Strip Oak Flooring and will average approximately 70% No. 1 Common and 30% No. 2 Common. Bundles: 1½ feet and longer; minimum average 3¼ feet.

**Standard and Better Grade:** A combination of Prime Grade and Standard Grade, to include the normal percentage of each of these grades developing.

This regulation shall become effective August 28, 1943.

**NOTE:** All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 23d day of August 1943.

CHESTER BOWLES,  
Acting Administrator.

[F. R. Doc. 43-13735; Filed, August 23, 1943;  
12:09 p. m.]

## PART 1410—WOOL

[RPS 58, as Amended,<sup>1</sup> Amdt. 14]

## WOOL AND WOOL TOPS AND YARNS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Revised Price Schedule No. 58 is amended in the following respects:

1. In § 1410.62 (a), the fourth undesignated paragraph preceding the table of prices is amended to read as follows:

All maximum prices are prices per pound, f. o. b. combing plant, in the case of tops combed in the United States, and

duty paid prices, ex port of entry or domestic warehouse, in the case of imported tops, and shall include all commissions and other charges except as provided in subparagraph (3) of this paragraph.

2. In § 1410.62 (b) the paragraph preceding the table of prices is amended to read as follows:

(b) **Wool noils.** The prices set forth below are maximum prices for wool noils in cents per pound, ex combing plant, warehouse or carbonizing plant, in the case of noils produced in the United States, and duty paid prices, ex port of entry, domestic warehouse or carbonizing plant, in the case of imported noils. These maximum prices include all commissions and other charges, except as provided in subparagraph (3) of this paragraph (b). Terms of sale shall be cash less 1% up to 10 days or 60 days net cash:

3. In § 1410.64 (f), subparagraph (1) is hereby amended to read as follows:

(1) **Woolen sales yarns sold on spinning cops.** The maximum prices for woolen sales yarns sold on spinning cops shall be determined by adding to the actual cost of the raw material used the applicable amount per pound set forth in the table below. In determining raw material costs, only the actual cost of the blended fibers plus a shrinkage allowance of not to exceed 10% may be used.

38¢ per pound for base 2 run or lower.  
41¢ per pound for base 2½ run.  
44¢ per pound for base 2½ run.  
47¢ per pound for base 2¾ run.  
50¢ per pound for base 3 run.  
53¢ per pound for base 3¼ run.  
56¢ per pound for base 3½ run.  
59¢ per pound for base 3¾ run.  
62¢ per pound for base 4 run.  
65¢ per pound for base 4¼ run.  
68¢ per pound for base 4½ run.  
71¢ per pound for base 4¾ run.  
74¢ per pound for base 5 run.  
77¢ per pound for base 5¼ run.  
80¢ per pound for base 5½ run.  
83¢ per pound for base 5¾ run.  
86¢ per pound for base 6 run.

Yarns of runs which fall between the base runs enumerated above shall be priced by adding the amount applicable to the next lower base run.

This amendment shall become effective August 25, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 23d day of August 1943.

CHESTER BOWLES,  
Acting Administrator.

[F. R. Doc. 43-13733; Filed, August 23, 1943;  
12:09 p. m.]

## PART 1499—COMMODITIES AND SERVICES

[Rev. SR 1 to GMPR, Amdt. 25]

## WALLPAPER PASTE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Revised Supplementary Regulation No. 1 is amended in the following respects:

1. Section 2.3 (p) (3) is amended by adding after "wallpaper paste" the following words: "at least 90 per cent composed of the products of the dry milling industry derived from wheat or corn."

This amendment shall become effective August 28, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 23d day of August 1943.

CHESTER BOWLES,  
Acting Administrator.

[F. R. Doc. 43-13736; Filed, August 23, 1943;  
12:09 p. m.]

## PART 1305—ADMINISTRATION

[Gen. RO 7, Amdt. 4]

## METHOD OF SURRENDER AND DEPOSIT OF RATION STAMPS AND COUPONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

<sup>1</sup>8 F.R. 2858, 2997, 4840, 6965.

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup>8 F.R. 5988.

General Ration Order 7 is amended in the following respects:

1. Section 1.2 (c) is amended to read as follows:

(c) Stamps and coupons may be enclosed in sealed envelopes only during the period in which they are valid for transfer, surrender or deposit by the person enclosing them. Only stamps and coupons of one rationing program and of the same value may be enclosed in any one envelope, except that strips of stamps of one rationing program which stamps all bear the same letter, are attached together and are worth a total of 16 points, and blocks of stamps consisting of two or more such strips, may be enclosed in any one envelope even though the stamps are of different values. However, loose stamps may not be enclosed in the same envelope with strips or blocks of stamps.

2. Section 1.3 (a) is amended to read as follows:

(a) Any person who encloses stamps or coupons in a sealed envelope pursuant to section 1.2 must write on the face of the envelope his business name and address, the rationing program under which the stamps or coupons are used (for example: sugar, processed foods), the number and type of stamps or coupons enclosed, and their individual and total values, except that in case strips or blocks of stamps are enclosed, the word "strip" shall be written in place of the individual value. If special shoe stamps are enclosed he must also write on the face of the envelope the date of expiration for consumer use of the stamp first expiring. He must also sign his name on the face of the envelope. His signature shall constitute a certification as to the truth of the statements written on it.

3. Section 1.7 (b) is amended to read as follows:

(b) No person shall forge or shall, except in accordance with this or any other order of the Office of Price Administration, mutilate, alter or destroy any sealed envelope in which stamps or coupons are enclosed pursuant to this order.

This amendment shall become effective August 27, 1943.

NOTE: All reporting and record-keeping requirements of this General Ration Order, have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong., E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. 1, 7 F.R. 562; Sec. of Agr. Food Dir. 3, 8 F.R. 2005, Food Dir. 5, 8 F.R. 2251, Food Dir. 6, 8 F.R. 3471, Food Dir. 7, 8 F.R. 3471, Food Dir. 8, 8 F.R. 7093)

Issued this 23d day of August 1943.

CHESTER BOWLES,  
Acting Administrator.

[F. R. Doc. 43-13746; Filed, August 23, 1943;  
4:37 p. m.]

PART 1341—CANNED AND PRESERVED FOODS  
[Rev. MPR 233, Amdt. 5]

DRIED AND CANNED APPLES AND APPLE PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Revised Maximum Price Regulation No. 233 is amended in the following respects:

1. In the Table in paragraph (a) of section 1341.409 the following language is added:

Product	Baume test	Maximum price
Bland apple syrup..	40° or better.....	16¢ per pound.

2. Section 1341.409 (c) (5) is added to read as follows:

(c) (5) "Bland apple syrup" means the product obtained by removing or neu-

	Color	Acid value	Iodine value	Sapon. value	Spec. gravity	Viscosity	Cents per pound
Spencer Kellogg & Sons Inc. Linseed Oil Replacement Raw, 49.7-50.3, polymerized linseed oil+49.7-50.3 raw linseed oil.	8-10	4-8	140-160	160-180	0.940-0.960	N-P	17
Spencer Kellogg & Sons Inc. Linseed Oil Replacement Refined, 49.7-50.3, polymerized linseed oil+49.7-50.3 raw linseed oil driers.....	8-12	4-8	140-160	160-180	.940-.960	N-P	17.5

This amendment shall become effective August 28, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 23d day of August 1943.

CHESTER BOWLES,  
Acting Administrator.

[F. R. Doc. 43-13751; Filed, August 23, 1943;  
4:39 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS  
[MPR 442, Amdt. 1]

PEANUT OIL MEAL, CAKE, SIZED CAKE, PELLETS AND PEANUT HULLS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Maximum Price Regulation 442 is amended in the following respects:

1. Section 7 (a) is amended to read as follows:

(a) The maximum price for the sale or delivery of peanut oil meal, sized cake or pellets by a grinder shall be the maximum price of the processor (from whom

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup> 8 F.R. 4628, 4632.

<sup>2</sup> 8 F.R. 10736.

tralizing the malic acid from pure apple juice and concentrating after slightly re-acidifying, by heating under reduced pressure to the extent that the product meets the minimum test of 40° Baume.

This amendment shall become effective August 28, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 23d day of August 1943.

CHESTER BOWLES,  
Acting Administrator.

[F. R. Doc. 43-13749; Filed, August 23, 1943;  
4:38 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS  
[MPR 53, Amdt. 4]

FATS AND OILS: LINSEED OIL

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

There is added to the table in section 7.1 (a) the following:

	Color	Acid value	Iodine value	Sapon. value	Spec. gravity	Viscosity	Cents per pound
Spencer Kellogg & Sons Inc. Linseed Oil Replacement Raw, 49.7-50.3, polymerized linseed oil+49.7-50.3 raw linseed oil.	8-10	4-8	140-160	160-180	0.940-0.960	N-P	17
Spencer Kellogg & Sons Inc. Linseed Oil Replacement Refined, 49.7-50.3, polymerized linseed oil+49.7-50.3 raw linseed oil driers.....	8-12	4-8	140-160	160-180	.940-.960	N-P	17.5

the peanut oil cake was obtained) for a like sale of such oil meal, sized cake or pellets, plus an addition at the rate of 50 cents per ton plus actual or reasonable transportation charges, if any, incurred by the seller in respect to the lot sold.

2. Section 21 is added to read as follows:

SEC. 21. Sales by the Commodity Credit Corporation. Notwithstanding any other provision of this regulation, any peanut oil meal, cake, sized cake or pellets purchased by the Commodity Credit Corporation from a processor at not more than the maximum prices established in section 5 hereof, or otherwise acquired by such Corporation, may be sold and delivered by such Corporation, acting directly or through such other person as it may designate, at not more than the maximum prices established by section 4 hereof.

This amendment shall become effective August 28, 1943.

(Pub. Laws 421 and 729, 77th Cong.; and Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4631)

Issued this 23d day of August 1943.

CHESTER BOWLES,  
Acting Administrator.

[F. R. Doc. 43-13748; Filed, August 23, 1943;  
4:38 p. m.]

<sup>1</sup> 8 F.R. 11150.

## PART 1351—FOOD AND FOOD PRODUCTS

[MPR 443,<sup>1</sup> Amdt. 1]

## SOYBEAN OIL MEAL, CAKE, PEA SIZE MEAL AND PELLETS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Maximum Price Regulation 443 is amended in the following respects:

1. Section 4 (a) is amended to read as follows:

(a) The maximum price for the sale and delivery of domestic soybean oil meal and cake, per ton, in carload lots or pool car lots, bulk, 41 percent or more protein, at any point, except within the switching limits of Decatur, Illinois (including production plant), by a processor shall be \$45.00 plus transportation charges as follows:

(1) The carload flat rate on soybean oil meal from Decatur, Illinois to all points of destination in the United States, except, the area east of the Illinois-Indiana state line on or north of the Ohio River to Canova, West Virginia, thence on or north of the Norfolk and Western Railway to Roanoke, Virginia, thence on or north of the Virginian Railway from Roanoke, Virginia to Norfolk, Virginia; and

(2) The carload flat rate on grain products from Decatur, Illinois to all points of destination in the area excepted from the above subparagraph (1).

2. Section 5 is amended to read as follows:

SEC. 5. *Maximum prices for sales of domestic soybean oil meal, cake, pea size meal or pellets owned or under contract by a processor on July 31, 1943, or processed from soybeans of the 1942 crop, by a processor.* (a) The maximum price for the sale and delivery of domestic soybean oil meal, cake, pea size meal or pellets which is owned or under contract by a processor on July 31, 1943, or which is produced from soybeans of the 1942 crop, per ton, in carload lots or pool car lots, bulk, 41 percent or more of protein, at any point (including production plant) by a processor shall be:

(1) \$2.00 per ton more than the applicable minimum price specified in the Processor Contract—Cotton States, 1942 Soybean Program of the Commodity Credit Corporation, for soybean oil meal, cake, pea size meal or pellets processed at a plant with respect to which the processor executed such Processor Contract with the Commodity Credit Corporation;

(2) \$33.50 per ton for soybean oil meal, cake, and pea size meal processed at a plant with respect to which the processor executed the Processor Contract—Pacific Coast States, 1942 Soybean Program of the Commodity Credit Corporation, Decatur, Illinois, basis, plus all rail freight rate from Decatur to the processor's plant, including the 3% federal transportation tax, less \$4.00 per ton;

(3) \$1.50 per ton more than the maximum price specified in subparagraph (3) of this paragraph (a) for soybean oil pellets;

(4) \$1.50 per ton more than the basic prices specified in the Processor Contracts—Form A, Form B, and Form B (Area 5), 1942 Soybean Program of the Commodity Credit Corporation, for such soybean oil meal, cake, pea size meal and pellets as are included in this paragraph and not provided for in subparagraphs (1), (2), and (3).

3. Section 19 is added to read as follows:

SEC. 19. *Sales by the Commodity Credit Corporation.* Notwithstanding any other provision of this regulation, any soybean oil meal, cake, pea size meal or pellets purchased by the Commodity Credit Corporation from a processor at not more than the maximum prices established in section 5 hereof, or otherwise acquired by such Corporation, may be sold and delivered by such Corporation, acting directly or through such other person as it may designate, at not more than the maximum prices established in section 4 hereof.

This amendment shall become effective August 28, 1943.

(Pub. Laws 421 and 729, 77th Cong. and Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 23d day of August 1943.

CHESTER BOWLES,  
Acting Administrator.

[F. R. Doc. 43-13747; Filed, August 23, 1943; 4:38 p. m.]

## PART 1351—FOOD AND FOOD PRODUCTS

[MPR 444,<sup>2</sup> Amdt. 1]

## COTTONSEED OIL MEAL, CAKE, SIZED CAKE AND PELLETS; AND COTTONSEED HULLS AND HULL BRAN

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Maximum Price Regulation 444 is amended in the following respects:

1. In section 3 the heading of the definition "cottonseed oil meal, cake, sized cake and pellets" is changed to read "cottonseed oil meal, cake (or loose slab cake), sized cake and pellets".

2. In the list of states in section 4 "Arkansas (east of White River) ---- \$45.50" is changed to read "Arkansas (counties of Arkansas, Clay, Craighead, Crittenden, Cross, Greene, Jackson, Lawrence, Lee, Mississippi, Monroe, Phillips, Poinsett, Randolph, St. Francis and Woodruff) ---- \$45.50".

3. Section 5 is amended to read as follows:

SEC. 5. *Maximum prices for sale of domestic cottonseed oil meal, cake, sized cake or pellets owned or under contract by a processor or produced from cottonseed of the 1942 crop owned or under contract by a processor on July 31, 1943.*

(a) The maximum price for the sale and delivery of domestic cottonseed oil meal, cake, sized cake or pellets, which is owned or under contract by a processor or which is produced from cottonseed of the 1942 crop owned or under contract by a processor on July 31, 1943, per ton, in carload lots or pool car lots, bulk, 41 per cent up to 43 per cent of protein at production plant, by a processor shall be \$2.00 per ton more than the minimum trade prices specified in Schedule A of the processor contract, 1942 Cottonseed Program, of the Commodity Credit Corporation, except that in the case of sales by processors located in the States of New Mexico, Arizona, and California such maximum price shall be \$3.00 per ton, \$4.00 per ton, and \$5.00 per ton, respectively, more than the minimum trade prices specified in said Schedule A.

(b) The foregoing maximum prices shall be increased at the rate of \$1.00 per ton for a sale of any cottonseed oil meal, cake, sized cake or pellets in a less than carload lot.

(c) The maximum prices established by this section shall be applicable to all processors irrespective of whether or not the above named processor contract is in effect.

4. Section 7 (a) is amended to read as follows:

(a) The maximum price for the sale or delivery of cottonseed oil meal, sized cake or pellets by a grinder shall be the maximum price of the processor (from whom the cottonseed oil cake was obtained) for a like sale of such oil meal, sized cake or pellets, plus an addition at the rate of 50 cents per ton plus actual or reasonable transportation charges, if any, incurred by the seller in respect to the lot sold.

5. Section 21 is added to read as follows:

SEC. 21. *Sales by the Commodity Credit Corporation.* Notwithstanding any other provision of this regulation, any cottonseed oil meal, cake, sized cake or pellets purchased by the Commodity Credit Corporation from a processor at not more than the maximum prices established in section 5 hereof, or otherwise acquired by such Corporation, acting directly or through such other person as it may designate, at not more than the maximum prices established in section 4 hereof.

This amendment shall become effective August 28, 1943.

(Pub. Laws 421 and 729, 77th Cong. and Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 23d day of August 1943.

CHESTER BOWLES,  
Acting Administrator.

[F. R. Doc. 43-13745; Filed, August 23, 1943; 4:37 p. m.]

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup> 8 F.R. 10759.

<sup>2</sup> 8 F.R. 10903.



## PART 1401—SYNTHETIC TEXTILE PRODUCTS

(Rev. MPR 339)

## WOMEN'S RAYON HOSIERY

Maximum Price Regulation 339 is redesignated Revised Maximum Price Regulation 339 and is revised and amended to read as follows:

A statement of the considerations involved in the issuance of this Revised Maximum Price Regulation 339 has been issued simultaneously herewith and filed with the Division of the Federal Register.\* In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942. Such specifications and standards as are used in this regulation have previously been promulgated and their use lawfully required by another Government agency.

§ 1401.101 *Women's rayon hosiery.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Revised Maximum Price Regulation 339 (Women's Rayon Hosiery) which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1401.101 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681.

REVISED MAXIMUM PRICE REGULATION 339—  
WOMEN'S RAYON HOSIERY

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SECTION 1. *Scope of the regulation—*

(a) *What retailers should look for particularly in this regulation.* (1) This regulation sets ceiling prices for women's rayon hosiery. It applies only to women's completely finished full-length hosiery the leg of which is made in whole or in part of rayon except that it does not apply to hosiery in which the leg is made of rayon in combination with silk, wool, or nylon.

(2) The regulation divides purchasers of full-fashioned hosiery into three classes as to the ceiling prices which suppliers of rayon hosiery may charge them: Class I purchasers, Class II purchasers and Class III purchasers. Also retail sellers of full-fashioned hosiery are divided into two classes as to the ceiling prices which they themselves may charge: Class I retail outlets and Class II retail outlets. In section 4 (d) the differences between these classes is explained. It is very important that you find out the class in which you belong because your ceiling prices depend on it. After you find in what class you belong, you find your ceiling prices for full-fashioned hosiery by referring to Table (3). Your prices for circular knit hosiery appear in Table (6). These tables will be found in Appendix B at the end of the regulation.

(3) If you want to find your ceiling prices for "full-fashioned", "cut and sewn" and "semi-fashioned" rayon hosiery:

(i) You look at the first part of Table (3), if you are a Class I retail outlet, and

(ii) You look at the second part of Table (3), if you are a Class II retail outlet.

(4) If you want to find your ceiling prices for circular knit rayon hosiery:

(i) You look at the first part of Table (6), if you bought the hosiery from a manufacturer, and

(ii) You look at the second part of Table (6), if you bought the hosiery from a wholesaler.

(5) You will note that in the tables of ceiling prices, different ceiling prices are set for "A" and "B" hosiery. The difference between "A" and "B" is explained in section 15. Also, different ceiling prices are set for "first quality hosiery" and for "substandard hosiery" and for various constructions of hosiery. All rayon hosiery which is sold or delivered to you by your suppliers must be marked to show its particular construction and whether it is irregular, second or third. By reading Appendix A (standards of inspection) you can find the difference between "first quality" and "substandard" hosiery. In section 11 you will see the explanation of the technical terms which appear in the tables of ceiling prices.

(b) *Application of this regulation generally.* (1) The definitions of "sale at retail", "sale at wholesale" and "sales by manufacturers" are set forth in section 4. It is important that these definitions be read very carefully since different ceiling prices are set for each class of seller. For example, if a company considers itself a "wholesaler", but it does not come within the definition of "wholesaler" set out in this regulation, it must observe the maximum prices for sales by manufacturers.

(2) The tables of ceiling prices are given in Appendix B of the regulation. Except for a limited number of special constructions, separate ceiling prices are established for "A" and "B" hosiery. In section 15 minimum requirements for "A" stockings are explained: these are minimum standards of quality and construction. "A" stockings are stockings that meet all of the minimum requirements.

Stockings that do not meet the requirements of "A" are called "B".

(3) The tables of prices provide for differentials or premiums at the manufacturing, wholesale and retail levels for special constructions. These include constructions that are more costly, such as outsizes and extra-lengths, as well as constructions which enhance the utility of hosiery as, for example, cotton welts, "non-runs" and cotton feet.

(4) If a seller cannot find his ceiling price for his rayon hosiery in the tables, he must follow the procedure given in section 5. Ceiling prices for misses' hosiery must be established by application in accordance with the provisions of section 5.

(5) In section 7 marking requirements are set forth, which will provide purchasers with information as to ceiling prices for the various classes of sellers for each kind of hosiery. In section 8 provision is made for information which must be furnished to persons other than ultimate consumers.

(6) This regulation does not provide maximum prices for the hosiery which is covered by Maximum Price Regulation 95—Women's Nylon Hosiery,<sup>1</sup> and 274—Women's Silk Hosiery.<sup>2</sup>

Sec. 2. *Transactions in rayon hosiery which are prohibited by this regulation.* On and after May 15, 1943, regardless of any contract or obligation, no person shall:

(a) Sell or deliver any rayon hosiery at a price higher than the maximum price permitted by this regulation; or

(b) Deliver any rayon hosiery for which a maximum price is not provided in section 17 unless he receives from the Office of Price Administration, Washington, D. C., a specific maximum price therefor, as provided by section 5; or

(c) Require a purchaser to buy or agree to buy any other hosiery or other article, service, package or wrapper in connection with a sale or delivery of rayon hosiery; or

(d) Buy or receive rayon hosiery in the course of trade or business at a price higher than the maximum price permitted by this regulation; or

(e) Offer, attempt, or agree to do any of the acts prohibited by this regulation; or

(f) Do any other act which directly or indirectly increases above the maximum price the consideration paid by the purchaser for the rayon hosiery. Any practice which is a device to secure the effect of a higher-than-ceiling price is as much a violation as an outright raising of the maximum price. This applies to the devices making use of commissions, services, transportation arrangements, premiums, discounts, special privileges, tying-agreements, trade understandings and all similar practices.

Sec. 3. *Enforcement and penalties.* Persons violating any provisions of this Revised Maximum Price Regulation 339 are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspension

<sup>1</sup> 7 F.R. 8521, 8948, 9492, 8 F.R. 8502.

<sup>2</sup> 7 F.R. 6951, 10378, 10791, 8 F.R. 8512, 8369.

\*Copies may be obtained from the Office of Price Administration.

of licenses provided by the Emergency Price Control Act of 1942, as amended.

**SEC. 4. Maximum prices for rayon hosiery—**(a) *Sales at retail.* The maximum prices for which rayon hosiery may be sold, delivered, or offered for sale at retail are the prices per pair set forth below in Tables (3) and (6) of Appendix B (section 17).

(1) *What is included in the term.* A "sale at retail" is any sale to an ultimate consumer.

(2) *Who is an ultimate consumer.* An "ultimate consumer" is any person (other than an industrial or commercial user) who

(i) Buys rayon hosiery for a purpose other than that of reselling it, and

(ii) Did not sell rayon hosiery in any quantity after January 31, 1942.

(b) *Sales at wholesale.* The maximum prices for which rayon hosiery may be sold, delivered or offered for sale at wholesale are the prices per dozen pairs set forth below in Tables (2) and (5) of Appendix B (section 17). These maximum prices do not apply unless the sale is a "sale at wholesale" as defined in this section. Sales, other than at retail, which do not qualify as "sales at wholesale" must be priced in accordance with the maximum prices set forth in Tables (1) and (4) of Appendix B.

(1) *What is included in the term.* A "sale at wholesale" is a sale of rayon hosiery, in any quantity, by a "wholesaler", who buys the hosiery after it has been knitted and assembled and who sells that "rayon hosiery" to anyone other than an ultimate consumer. A "sale at wholesale" also includes a sale to a commercial or industrial user, made by a person who sells principally at retail.

(2) *Who is a wholesaler.* A "wholesaler" is a seller who:

(i) Is engaged in the business of selling women's hosiery to retailers generally.

(ii) Regularly carries representative stocks of women's hosiery belonging to him in his own place of business,

(iii) Sells at least 10% of his total sales of women's hosiery out of stock (as opposed to "drop shipments"),

(iv) Is not (a) a manufacturer, (b) an agent, employee, selling agent, or subsidiary of a manufacturer, or (c) a broker, and

(v) Was operating a wholesale business under the conditions prescribed in subparagraphs (2) (i) to (2) (iv), both inclusive, during the month of January 1942, or entered the business of selling women's hosiery for resale after January 31, 1942. (In the latter case, in order to qualify as a wholesaler, the seller must within 5 days after first engaging in the business of selling rayon hosiery for resale pursuant to this regulation, send a notice of his making sales at wholesale to the Office of Price Administration, Washington, D. C. This notice should be in writing and must state the seller's name and address, and the date upon which the seller first engaged in the business of making sales at wholesale after the effective date of this regulation).

(3) *Exception for certain affiliated sellers.* Even though an establishment engaged in the business of selling hosiery

for resale is so affiliated with the ownership, management or control of a business engaged in sewing, knitting or assembling women's hosiery as to be constituted a "manufacturer" under paragraph (c) (2), a sale by the establishment of hosiery not produced by such an affiliated manufacturer will be considered a "sale at wholesale" provided it is made under all of the following conditions:

(i) The establishment is at the time of the sale and was throughout 1940, maintained as a separate establishment and operated so as to qualify it as a "wholesaler" under the provisions of (i) to (v), inclusive, of subparagraph (b) (2).

(ii) The establishment at the time of the sale and throughout 1940 represented itself as a wholesaler, and was generally known as a wholesaler.

(iii) Less than 50% of the total units of women's full-fashioned hosiery delivered to the establishment during 1940 were composed of hosiery produced by affiliated manufacturers and by manufacturers to whom the establishment supplied or furnished yarn for such hosiery.

(c) *Sales by manufacturers.* The maximum prices for which rayon hosiery may be sold, delivered or offered for sale in any sale by a manufacturer other than at retail, are the prices per dozen pairs set forth in Tables (1) and (4) of Appendix B (section 17).

(1) *What is included in the term.* "Sales by manufacturers" include any sale by a "manufacturer" as defined below. The maximum prices set forth in Tables (1) and (4) of Appendix B apply also to:

(i) All sales (other than sales at retail) which do not qualify as "sales at wholesale" as defined above, and

(ii) Any sale of "rayon hosiery" which (a) The seller knit, sewed, or assembled, or

(b) Was manufactured from yarn or other materials supplied, purchased, or furnished by the seller.

(2) *Who is a manufacturer.* A manufacturer is any person who, directly or indirectly, owns or operates a business engaged in sewing, knitting or assembling women's hosiery, or whose business is owned, controlled, conducted or managed in any way by a person who owns, or is engaged in a business of sewing, knitting, or assembling hosiery.

(d) *Classes of sellers—*(1) *The general rule.* A seller is any person who sells or offers to sell rayon hosiery. Factories, stores, selling establishments and other selling units owned by the same person or commonly owned are considered to be the same seller.

(2) *Classes of retail sellers of full-fashioned hosiery.* For the purpose of determining the "class" of retail outlet or the "class" of purchaser to which a seller of full-fashioned hosiery belongs, an exception to the general rule is made in the case of a person who operates two or more establishments selling at retail or two or more departments within an establishment selling at retail. In that case, each separate establishment is considered a separate seller. If, however, there are two or more separate depart-

ments within the establishment, each department is considered a separate seller. Retail sellers of women's full-fashioned hosiery are classified as follows:

(i) "Class I retail women's hosiery outlet" includes every seller at retail who is a Class I purchaser with the following exceptions:

(a) House-to-house sellers, and

(b) Retail sellers affiliated with a manufacturer or wholesaler as described in paragraph (e) (1) (ii), *Provided* they conform to all of the following conditions:

(1) The retail seller's business was operated as a separate retail selling establishment on January 31, 1942, and would not be a Class I purchaser under the provisions of (e) (1) (iii);

(2) No affiliated manufacturer or wholesaler delivered more than 10% of his total annual shipments by dollar volume of women's full-length hosiery in 1940 or 1941 to the retail seller; and

(3) After May 31, 1943, the retail seller did not have delivered to him by any affiliated manufacturer or wholesaler (i) in any one month, more than 10% of any affiliated manufacturer's or wholesaler's total shipments of rayon hosiery for that month or (ii) in any six consecutive months more than 5% of any affiliated manufacturer's total shipments of rayon hosiery for that six months period. Retail sellers who meet all the conditions of this paragraph (b) become Class II retail women's hosiery outlets.

(ii) *Class II retail women's hosiery outlet.* Every seller at retail who is (a) a "house-to-house" seller, (b) a Class II purchaser or (c) a Class III purchaser, is a "Class II retail women's hosiery outlet."

(e) *Classes of purchasers of women's full-fashioned hosiery.* (1) "Class I purchaser" means the following persons:

(i) Every "manufacturer" and every "wholesaler" as defined in this section.

(ii) Every retail seller whose business is owned, controlled or operated by a "manufacturer" or "wholesaler" or by a person who owns, controls, or operates the business of a "manufacturer" or "wholesaler."

(iii) Every retail seller whose business was operated under both of the following conditions:

(a) *First condition.* The seller, or the central buying organization to which the seller belonged, made total annual sales of women's full-length hosiery exceeding \$250,000.00 in any year from 1939 to 1942, inclusive.

(b) *Second condition.* The seller, or the central buying organization to which the seller belonged, had an average percentage of initial mark-up on women's full-length hosiery of 34% or less in any year from 1939 to 1942, inclusive. To determine this mark-up percentage, the seller must (1) compute the total of the initial retail prices at which all purchases of this hosiery were marked during a given year, (2) compute the total of all invoice charges on purchases of the hosiery during the same year (figured after all discount deductions and including all transportation costs) and (3) subtract the total secured in (2) from the total secured in (1) and divide

the remainder by the total obtained in (1).

(2) "Class II purchaser" means any retail seller who is not a Class I purchaser and who, alone or together with all sellers belonging to the same central buying organization, made total annual sales of women's full-length hosiery exceeding \$100,000.00 in any year from 1939 to 1942, inclusive.

(3) "Class III purchaser" means any person who is not a "Class I purchaser" nor a "Class II purchaser." It includes industrial and commercial users.

(4) *Central buying organization.* A retail seller "belonged to a central buying organization" during any year from 1939 to 1942, inclusive, if during that year it was one of a group of sellers under common ownership or control, with a common purchasing office which bought 60% or more of the women's full-length hosiery that was bought by the entire group during that year.

(f) *Drop shipments.* A drop shipment of hosiery, sold at wholesale, is a shipment directly from the manufacturer to the purchaser.

(g) *When taxes may be added to the maximum price.* If a statute or ordinance permits a tax to be separately stated, the seller is permitted to charge or collect, in addition to the price, a tax on the sale or delivery of the hosiery provided he states the tax separately. This applies, however, only to a tax on a particular sale or delivery such as a gross tax or compensating use tax. Taxes on prior sales or deliveries may not be added.

**SEC. 5. Maximum prices for rayon hosiery by special application.** Maximum prices for rayon hosiery not specifically priced in section 17 can be established only by specific authorization from the Office of Price Administration, Washington, D. C. No person is permitted to deliver rayon hosiery for which a maximum price is not provided in section 17 unless he receives specific authorization from the Office of Price Administration.

A seller who wants to secure a specific maximum price for any type of rayon hosiery for which a maximum price is not provided in section 17 must file with the Office of Price Administration in Washington, D. C., an application setting forth a description in detail of the rayon hosiery for which a maximum price is sought, together with a sample thereof. The seller must also submit such additional information as may be required by the Office of Price Administration.

**SEC. 6. Less than maximum prices may be charged.** Lower prices than the maximum prices established by this maximum price regulation may be charged.

**SEC. 7. Information which must be furnished to purchasers.—(a) Marking.—(1) Information required.** No person may sell, deliver or offer for sale rayon hosiery unless there is firmly affixed to each pair of hosiery a marking which clearly and truthfully states identifying information as to the construction and price of the hosiery as follows:

(i) The word "ceiling" accompanied by the maximum price at retail under this regulation; (if the hosiery is circular knit and sold to a wholesaler the

letter "W" must precede the maximum price);

(ii) The name, trade-mark registered in the United States Patent Office, or the Office of Price Administration registration number of the person who first sells the hosiery in a completely finished state; (such sellers can secure registration numbers by writing to the Office of Price Administration, Washington, D. C.);

(iii) The gauge or needle count of the hosiery;

(iv) The word "proportioned" on all proportioned hosiery;

(v) The word "misses" on all misses' hosiery;

(vi) The word "out-size" on all out-size hosiery;

(vii) The words "extra-long" on all hosiery 34" in length or longer;

(viii) The word "irregulars" on all irregulars; the word "seconds" on all seconds; and the word "thirds" on all thirds. This marking of substandard hosiery must be placed on each stocking of the pair.

(2) *Methods of marking.* The hosiery must be marked with a transfer, label, ticket, marker or other device which is firmly affixed to at least one stocking of each pair of hosiery at the time it is delivered to the purchaser. However, inserts may be used by manufacturers until September 1, 1943, and by other sellers until October 1, 1943.

(3) *Description of marking.* Information required by subdivisions (1) (i) and (iii) above must be marked on the welt within an outlined space or block having dimensions no less than  $\frac{3}{4}$ " x  $1\frac{1}{2}$ " in the case of a transfer or no less than  $\frac{3}{8}$ " x  $\frac{3}{4}$ " in the case of a label or ticket. No other printing or lettering is permitted within the space or block except that the person who first sells the hosiery in a completely finished state may include his name, brand or registration number and any seller may include the words "Grade A" on all Grade A hosiery and the words "Grade B" on all Grade B hosiery, as those terms are explained in section 15. Two examples are set forth below:

Ceiling 82¢  
45 gauge

Ceiling-W-35¢  
260 ndls.

Any of the other information required by this paragraph may be placed on the welt provided it does not confuse or obscure the information contained in the space or block or it may be placed upon the foot of the stocking. Where inserts are permitted temporarily, all information may be placed on the insert.

(4) *Which retail price must be marked on hosiery.—(i) Circular knit hosiery.* (a) Hosiery delivered by a manufacturer to a seller at retail must be marked with the appropriate retail ceiling price provided in Table 6 (i).

(b) Hosiery delivered to a wholesaler and hosiery delivered by a wholesaler to a seller at retail must be marked with

the appropriate retail ceiling price provided in Table 6 (ii).

(ii) *Full-fashioned hosiery.* Hosiery which a manufacturer or wholesaler delivers to, or knows is intended for ultimate delivery to a Class I retail women's hosiery outlet must be marked with the appropriate retail ceiling price provided in Table 3 (i); otherwise, it must be marked with the appropriate retail ceiling price provided in Table 3 (ii).

(b) *Correcting marking.* If a seller receives hosiery which has been previously marked incorrectly or marked with a retail ceiling price which is not appropriate, he must correctly re-mark the hosiery by the use of a transfer, ticket or label firmly attached to the welt of the hosiery. However, a wholesaler selling to a purchaser of a different class from that for which his hosiery is marked, need not re-mark if the purchaser agrees by letter to re-mark the hosiery prior to sale at retail. Before the wholesaler may deliver such hosiery he must mail a copy of his purchaser's letter to the Office of Price Administration, Washington, D. C.

**SEC. 8. Information which must be furnished in sales other than at retail.—(a) Information for marking.** Within 5 days after the receipt of a written request from a purchaser of rayon hosiery by any person who has sold for resale or manufactured the rayon hosiery, such seller or manufacturer shall furnish to the purchaser, all information with respect to the construction and quality of the rayon hosiery which is pertinent to the marking required of the purchaser by this regulation.

(b) *Disclosure of class of purchaser.* Within 10 days after receiving a written request, every person who buys or offers to buy rayon hosiery must truthfully inform the seller in writing of the class of purchaser to which the buyer belongs. If the class of purchaser to which buyer belongs changes after the effective date of this regulation, he must notify all persons from whom he buys of the change of his class within 5 days after such change takes place and before ordering or purchasing any additional rayon hosiery.

**SEC. 9. Relation between Revised Maximum Price Regulation 339 and the General Maximum Price Regulation.—(a) Provisions of General Maximum Price Regulation incorporated in this regulation.** The General Maximum Price Regulation shall not apply and this regulation shall apply to sales, deliveries and offers to sell rayon hosiery. However, the following sections of the General Maximum Price Regulation are made a part of this regulation and each seller must comply with them:

(1) Current records (§ 1499.12).

(2) Sales slips and receipts (§ 1499.14).

(3) The registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation shall apply to every person selling rayon hosiery at wholesale or retail.

(b) *Definitions incorporated by reference.* Unless the context otherwise requires, or unless otherwise specifically

\* 8 F.R., 3036, 3849, 4347, 4486, 4724, 4978, 4248, 6047, 6362, 8311, 9025.

provided herein, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

SEC. 10. *Relation of this regulation to other maximum price regulations.* (a) *Maximum Price Regulation 157.*<sup>4</sup> With respect to sales of women's rayon hosiery, covered by this regulation, this regulation supersedes the provisions of Maximum Price Regulation 157, entitled "Sales and Fabrication of Textiles, Apparel and Related Articles for Military Purposes".

(b) *Maximum Price Regulation 172.*<sup>5</sup> Contractors' charges for the manufacture of women's rayon hosiery are not subject to this regulation, but are governed by Maximum Price Regulation 172, entitled "Charges of Contractors in Apparel Industry".

SEC. 11. *Explanation of terms (definitions).* (a) "Rayon hosiery" means any women's completely finished full-length hosiery of less than 45 inches in length, the leg of which is made in whole or in part of rayon, except hosiery in which the leg is made of rayon in combination with silk, wool or nylon. The term includes misses' hosiery.

(b) "Substandard quality" hosiery means hosiery not of first quality. This includes (1) irregulars; (2) seconds; and (3) thirds. These terms are defined in section 16—Appendix A—Standards of Inspection.

(c) Grade "A" hosiery is rayon hosiery which meets all of the minimum specifications for Grade A hosiery as explained in section 15. If the hosiery fails to meet any one or more of the minimum requirements as explained in section 15, it is classed as Grade "B" hosiery.

(d) The "gauge" of full-fashioned hosiery is the number of needles per  $1\frac{1}{2}$ " of the needle bar on which the hosiery is knit, assuming use of the full needle bar except for a tolerance of 4 needles.

(e) The "needle count" of circular knit hosiery is the total number of needles on the knitting cylinder of the machine on which the hosiery is knit.

(f) Full-fashioned out-size hosiery. (1) "14" and  $14\frac{1}{2}$ " out-size hosiery" is hosiery which

(i) Is knit on 14" or  $14\frac{1}{2}$ " needle bar respectively, using the full needle bar (with a tolerance of 4 needles);

(ii) Is made with no fashionings or narrowings at the flare;

(iii) Contains the minimum number of courses required for Grade "A" hosiery as defined in section 15;

(iv) Is boarded on out-size forms in accordance with accepted trade practice.

(2) "15" and 16" out-size hosiery" is hosiery which is

(i) Knit on a full 15" or 16" needle bar, respectively (with a tolerance of 4 needles); and

(ii) Is boarded on out-size forms in accordance with accepted trade practice.

(g) "Combination yarn" is plied yarn in which filament rayon is twisted with other fibers.

(h) "Plied yarn" is a yarn in which two or more separate ends of continuous filament rayon yarn are combined by twisting.

(i) "Spun rayon yarn" is yarn spun from rayon staple fiber.

(j) "Blended yarn" is yarn which is spun from mixtures of rayon staple fiber and cotton fiber.

(k) "Full-lace hosiery" is lace hosiery knit with full-lace tackle on a full-fashioned knitting machine.

(l) "Jacquard hosiery" is hosiery knit with full Jacquard tackle on a full-fashioned knitting machine.

(m) "Full-length hosiery" is hosiery designed to be worn with the welt above the knee.

SEC. 12. *How this regulation may be amended.* Any person seeking an amendment which will have general applicability may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1<sup>6</sup> issued by the Office of Price Administration.

SEC. 13. *Geographical applicability of this regulation.* This regulation shall be applicable to the continental United States and to the District of Columbia, but not to the territories and possessions of the United States.

This regulation does not apply to export sales, which are governed by the Second Revised Maximum Export Price Regulation.<sup>7</sup>

SEC. 14. *Adjustable pricing.* If you wish, you may sell at the maximum price permitted by this regulation subject to an agreement with the buyer to charge a higher price if it becomes the legal maximum price by the time delivery is made. But you must never charge a price which is higher than the maximum price in effect at the time of delivery. Moreover, unless authorized by the Office of Price Administration, you must not deliver at a price which is to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. This authorization will be given only where: (1) a request for a change in the applicable price is pending; (2) authorization is necessary to promote distribution or production; and (3) it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended.

SEC. 15. *Minimum requirements for Grade "A" hosiery.* Grade A hosiery is completely finished continuous filament rayon hosiery, the leg of which is knitted in plain stitch and which meets the minimum requirements contained in Schedules A and B of War Production Board General Limitation Order L-274, as amended July 7, 1943. These specifications, for the pricing purposes of this regulation, do not apply to hosiery, the leg of which is made of combination or spun rayon yarns, nor to non-run, mesh, or cut-and-sewn rayon hosiery. The specifications are minimum in the sense that unless the hosiery meets every one of the requirements of these specifications, it is classed as Grade B. The fol-

lowing hosiery, however, shall be considered Grade A: (a) hosiery permitted to be manufactured by War Production Board with welt, sole, heel or toe reinforced with nylon or with English cotton yarn of a count finer than that permitted under Schedules A and B of War Production Board General Limitation Order L-274, as amended July 7, 1943 if it otherwise meets the specifications of Schedules A and B; (b) proportioned hosiery, manufactured consistently with the provisions of paragraph (c) of Schedule A of the War Production Board order; (c) hosiery placed in production prior to March 8, 1943 which meets all of the specifications of Schedules A and B of the War Production Board order other than the specifications pertaining to picots.

SEC. 16. *Appendix A: Standards of inspection.* Both Grade "A" and Grade "B" rayon hosiery must be classified and marked according to the standards of inspection set forth below.

(a) *Substandard quality.* All hosiery which is not first quality is deemed to be substandard quality. Substandard quality includes:

(1) *Irregulars.* A pair of substandard quality stockings are "irregulars" if one or both stockings contain any imperfections or irregularities in size, color, knit or weave: *Provided*, That neither stocking contains any obvious mends, runs, tears or breaks in the fabric, or any substantial defect, irregularity or imperfection in material, construction or finish;

(2) *Seconds.* A pair of substandard quality stockings are "seconds" if one or both stockings contain any obvious mends, runs, tears or breaks in the fabric or any substantial defect, irregularity or imperfection in material, construction or finish: *Provided*, That neither of the stockings contains (i) welt menders in excess of  $\frac{1}{2}$  inch, (ii) leg menders or seamers in excess of  $\frac{1}{4}$  inch or (iii) more than two medium or three small menders; and

(3) *Thirds.* A pair of substandard quality stockings are "thirds" if either stocking contains (i) any of the following defects: (a) welt menders in excess of  $\frac{1}{2}$  inch, (b) leg menders or seamers in excess of  $\frac{1}{4}$  inch or (c) more than two medium or three small menders or (ii) any other substantial defect, irregularity or imperfection which makes the hosiery a third, when judged by the seller's standards of inspection on the effective date of this regulation.

(b) *Explanation of table of defects.* The following table is not all-inclusive but it illustrates how hosiery containing any of the defects listed should be classified. Thus hosiery containing any of the defects listed in Column (1) cannot be considered first quality but must be considered irregulars. Similarly hosiery containing any of the defects listed in Column (2) must be considered seconds and not irregulars and hosiery containing any defects listed in Column (3) must be considered thirds.

(c) *Table of defects.* (Reference is to defect in either stocking).

<sup>4</sup> F.R. 4273, 4541, 4618, 5180, 5716, 6004, 6424, 8948, 8 F.R. 3948, 7507.

<sup>5</sup> F.R. 4882, 6684, 8351, 8948, 10864, 8 F.R. 8063.

<sup>6</sup> F.R. 8961, 8 F.R. 3313, 3533, 6173.

<sup>7</sup> F.R. 4132, 5987, 7662.

(Column 1) Irregulars	(Column 2) Seconds	(Column 3) Thirds
(1) <i>Welt defects.</i> (i) Badly mismatched welts. (2) <i>Leg defects.</i> (i) Minor yarn defects, such as slubs, knots, broken filaments, slinters. (ii) Visible rings or shadows. (iii) Visible sinker stripes or needle lines. (iv) Visible picked up pull threads. (v) Uneven stitch construction. (vi) Light color contrasts or shadings. (3) <i>Foot defects.</i> (i) Heavy dye streaking. (ii) Light mismatching at instep.	(1) <i>Welt defects.</i> (i) Menders less than $\frac{1}{4}$ ". (2) <i>Leg defects.</i> (i) Menders or seamers less than $\frac{1}{4}$ ". (ii) Major yarn defects, such as decided rings, heavy slubs, kinks or large knots. (iii) Fuzzy sinker or needle line marks. (iv) Sharply defined color contrasts or shadings. (3) <i>Foot defects.</i> (i) Heavy mismatching at instep. (4) <i>Over-all defects.</i> (i) Lengths under 23 $\frac{1}{2}$ ". (ii) Menders, limited to three medium or three small menders.	(1) <i>Welt defects.</i> (i) Menders in excess of $\frac{1}{4}$ ". (2) <i>Leg defects.</i> (i) Menders or seamers in excess of $\frac{1}{4}$ ". (3) <i>Over-all defects.</i> (i) More than two medium or three small menders.

SEC. 17. Appendix B: Schedules of maximum prices—(a) Tables of maximum prices for full-fashioned "cut and sewn" and semi-fashioned hosiery.

TABLE 1.—SALES BY MANUFACTURERS  
[Prices are expressed in dollars per dozen f. o. b. point of shipment]  
(1) REGULAR CONSTRUCTION

Construction	First quality		Substandard quality					
			Irregulars		Seconds		Thirds	
	Grade A	Grade B	Grade A	Grade B	Grade A	Grade B	Grade A	Grade B
<b>A. CONTINUOUS FILAMENT</b>								
1. 29 gauge:								
(a) to Class I purchaser.....	\$5.60	\$5.40	\$5.61	\$4.72	\$3.94	\$3.69	\$2.65	\$2.70
(b) to Class II purchaser.....	6.05	5.25	5.14	4.72	4.04	3.70	3.02	2.77
(c) to Class III purchaser.....	6.15	5.05	5.23	4.89	4.10	3.77	3.07	2.82
2. 42 gauge:								
(a) to Class I purchaser.....	6.20	5.25	5.27	4.72	4.14	3.70	3.10	2.77
(b) to Class II purchaser.....	6.35	5.70	5.40	4.84	4.24	3.89	3.17	2.83
(c) to Class III purchaser.....	6.45	5.80	5.48	4.93	4.39	3.87	3.22	2.90
3. 45 gauge:								
(a) to Class I purchaser.....	6.70	5.85	5.70	5.05	4.47	3.97	3.35	2.97
(b) to Class II purchaser.....	6.85	6.10	5.82	5.18	4.57	4.07	3.42	3.03
(c) to Class III purchaser.....	6.95	6.20	5.91	5.27	4.64	4.14	3.47	3.10
4. 48 gauge:								
(a) to Class I purchaser.....	7.20	6.45	6.12	5.48	4.89	4.39	3.60	3.22
(b) to Class II purchaser.....	7.35	6.60	6.25	5.61	4.99	4.49	3.67	3.29
(c) to Class III purchaser.....	7.45	6.70	6.33	5.69	4.97	4.47	3.72	3.35
5. 51 gauge:								
(a) to Class I purchaser.....	7.70	6.95	6.54	5.91	5.14	4.64	3.85	3.47
(b) to Class II purchaser.....	7.85	7.10	6.67	6.03	5.24	4.74	3.92	3.55
(c) to Class III purchaser.....	7.95	7.20	6.70	6.12	5.30	4.80	3.97	3.60
6. 54 and 57 gauge:								
(a) to Class I purchaser.....	8.05	7.00	7.35	6.71	5.77	5.27	4.32	3.95
(b) to Class II purchaser.....	8.25	8.10	7.22	6.83	5.99	5.49	4.42	4.05
(c) to Class III purchaser.....	9.00	8.25	7.65	7.01	6.09	5.59	4.50	4.12
7. 60 gauge and higher:								
(a) to Class I purchaser.....	9.05	8.00	8.20	7.56	6.44	5.94	4.82	4.45
(b) to Class II purchaser.....	9.25	8.10	8.37	7.73	6.67	6.07	4.92	4.55
(c) to Class III purchaser.....	10.00	9.25	8.50	7.89	6.67	6.17	5.00	4.62
<b>B. CONTINUOUS FILAMENT (OUTSIDE)</b>								
1. 39 gauge, 14-14 $\frac{1}{2}$ " head:								
(a) to Class I purchaser.....	6.40	5.65	5.44	4.89	4.27	3.77	3.50	2.82
(b) to Class II purchaser.....	6.55	5.80	5.67	4.93	4.37	3.87	3.57	2.90
(c) to Class III purchaser.....	6.65	5.90	5.65	5.01	4.44	3.94	3.62	2.95
15-15 $\frac{1}{2}$ " head:								
(a) to Class I purchaser.....	6.60	6.15	5.85	5.23	4.60	4.10	3.45	3.07
(b) to Class II purchaser.....	7.05	6.20	5.89	5.35	4.70	4.20	3.52	3.15
(c) to Class III purchaser.....	7.15	6.40	6.08	5.44	4.77	4.27	3.57	3.20
16" head or wider:								
(a) to Class I purchaser.....	7.40	6.65	6.20	5.65	4.94	4.44	3.70	3.32
(b) to Class II purchaser.....	7.55	6.80	6.42	5.78	5.04	4.54	3.77	3.40
(c) to Class III purchaser.....	7.65	6.90	6.49	5.89	5.10	4.60	3.82	3.45
2. 42 gauge, 14-14 $\frac{1}{2}$ " head:								
(a) to Class I purchaser.....	6.70	5.95	5.60	5.00	4.47	3.97	3.35	2.97
(b) to Class II purchaser.....	6.85	6.10	5.82	5.18	4.57	4.07	3.42	3.03
(c) to Class III purchaser.....	6.95	6.20	5.91	5.27	4.64	4.14	3.47	3.10
15-15 $\frac{1}{2}$ " head:								
(a) to Class I purchaser.....	7.20	6.45	6.12	5.48	4.89	4.39	3.60	3.22
(b) to Class II purchaser.....	7.35	6.60	6.25	5.61	4.99	4.49	3.67	3.29
(c) to Class III purchaser.....	7.45	6.70	6.33	5.69	4.97	4.47	3.72	3.35
16" head or wider:								
(a) to Class I purchaser.....	7.70	6.95	6.54	5.91	5.14	4.64	3.85	3.47
(b) to Class II purchaser.....	7.85	7.10	6.67	6.03	5.24	4.74	3.92	3.55
(c) to Class III purchaser.....	7.95	7.20	6.70	6.12	5.30	4.80	3.97	3.60
3. 45 gauge and higher, 14-14 $\frac{1}{2}$ " head:								
(a) to Class I purchaser.....	7.20	6.45	6.12	5.48	4.89	4.39	3.60	3.22
(b) to Class II purchaser.....	7.35	6.60	6.25	5.61	4.99	4.49	3.67	3.29
(c) to Class III purchaser.....	7.45	6.70	6.33	5.69	4.97	4.47	3.72	3.35
15-15 $\frac{1}{2}$ " head:								
(a) to Class I purchaser.....	7.70	6.95	6.54	5.91	5.14	4.64	3.85	3.47
(b) to Class II purchaser.....	7.85	7.10	6.67	6.03	5.24	4.74	3.92	3.55
(c) to Class III purchaser.....	7.95	7.20	6.70	6.12	5.30	4.80	3.97	3.60
16" head or wider:								
(a) to Class I purchaser.....	8.20	7.45	6.67	6.33	5.47	4.97	4.10	3.72
(b) to Class II purchaser.....	8.35	7.60	7.10	6.45	5.57	5.07	4.17	3.80
(c) to Class III purchaser.....	8.45	7.70	7.15	6.54	5.64	5.14	4.22	3.85



TABLE 1.—SALES BY MANUFACTURERS—Continued

[Prices are expressed in dollars per dozen f. o. b. point of shipment]

## (II) SPECIAL CONSTRUCTIONS

Constructions	First quality	Substandard quality		
		Irregulars	Seconds	Thirds
C. MESH AND NON-RUN				
1. 42 gauge and lower:				
(a) to Class I purchaser.....	\$8.20	\$6.97	\$5.47	\$4.10
(b) to Class II purchaser.....	8.35	7.10	5.57	4.17
(c) to Class III purchaser.....	8.45	7.18	5.64	4.23
2. 45 gauge and higher:				
(a) to Class I purchaser.....	8.70	7.39	5.80	4.35
(b) to Class II purchaser.....	8.85	7.52	5.90	4.42
(c) to Class III purchaser.....	8.95	7.61	5.97	4.47
D. NEEDLE OUT OR DROP NEEDLE STITCH				
1. 39 gauge and lower:				
(a) to Class I purchaser.....	7.40	6.29	4.94	3.70
(b) to Class II purchaser.....	7.55	6.42	5.04	3.77
(c) to Class III purchaser.....	7.65	6.50	5.10	3.82
2. 42 gauge:				
(a) to Class I purchaser.....	7.70	6.54	5.14	3.85
(b) to Class II purchaser.....	7.85	6.67	5.24	3.92
(c) to Class III purchaser.....	7.95	6.76	5.30	3.97
3. 45 and 48 gauge:				
(a) to Class I purchaser.....	8.10	6.88	5.40	4.05
(b) to Class II purchaser.....	8.25	7.01	5.50	4.12
(c) to Class III purchaser.....	8.35	7.10	5.57	4.17
E. FULL LACE AND JACQUARDS				
1. 42 gauge and lower:				
(a) to Class I purchaser.....	9.20	7.82	6.14	4.60
(b) to Class II purchaser.....	9.35	7.95	6.24	4.67
(c) to Class III purchaser.....	9.45	8.03	6.30	4.72
2. 45 and 48 gauge:				
(a) to Class I purchaser.....	9.70	8.24	6.47	4.85
(b) to Class II purchaser.....	9.85	8.37	6.57	4.92
(c) to Class III purchaser.....	9.95	8.46	6.64	4.97
3. 51 gauge and higher:				
(a) to Class I purchaser.....	10.70	9.09	7.14	5.35
(b) to Class II purchaser.....	10.85	9.22	7.24	5.42
(c) to Class III purchaser.....	10.95	9.31	7.30	5.47
F. SPECIAL TYPES				
33 and 36 gauge made of combination yarn:				
(a) to Class I purchaser.....	5.75	4.89	3.84	2.87
(b) to Class II purchaser.....	5.90	5.01	3.94	2.95
(c) to Class III purchaser.....	6.00	5.10	4.00	3.00
G. CUT AND SEWN LACE OR MESH				
(a) to Class I purchaser.....	7.20	6.12	4.80	3.60
(b) to Class II purchaser.....	7.35	6.25	4.90	3.67
(c) to Class III purchaser.....	7.45	6.33	4.97	3.72
H. SEMI-FASHIONED (BURSON TYPE)				
(i) Continuous filament:				
1. Standard:				
(a) to Class I purchaser.....	4.35	3.70	2.90	2.17
(b) to Class II purchaser.....	4.50	3.82	3.00	2.25
(c) to Class III purchaser.....	4.60	3.91	3.07	2.30
2. Outsize:				
(a) to Class I purchaser.....	4.90	4.16	3.27	2.45
(b) to Class II purchaser.....	5.05	4.29	3.37	2.52
(c) to Class III purchaser.....	5.15	4.38	3.43	2.57
3. Extra outsize:				
(a) to Class I purchaser.....	5.90	5.01	3.94	2.95
(b) to Class II purchaser.....	6.05	5.14	4.04	3.02
(c) to Class III purchaser.....	6.15	5.23	4.10	3.07
(ii) Combination yarn:				
1. Standard:				
(a) to Class I purchaser.....	4.25	3.61	2.83	2.12
(b) to Class II purchaser.....	4.40	3.74	2.93	2.20
(c) to Class III purchaser.....	4.50	3.82	3.00	2.25
2. Outsize:				
(a) to Class I purchaser.....	4.60	3.91	3.07	2.30
(b) to Class II purchaser.....	4.75	4.04	3.17	2.37
(c) to Class III purchaser.....	4.85	4.12	3.23	2.42
I. MAXIMUM PRICE DIFFERENTIALS FOR SPECIFIC CONSTRUCTIONS				
(To be added to prices per dozen set forth for constructions A to E both inclusive)				
1. Premium welts (welts made of: cotton, silk, spun rayon, blended or combination yarn).....	.50	.42	.33	.25
2. Extra lengths (34 inches minimum).....	.75	.64	.50	.37
3. Premium heel and sole (heel and sole reinforced with cotton spun rayon or combination yarn).....	.35	.30	.23	.17
4. Leg made of spun rayon, blended, plied or combination yarn with premium welt and premium heel and sole.....	1.75	1.49	1.17	.87

TABLE 2.—SALES AT WHOLESALE

(Prices are expressed in dollars per dozen l. o. b. point of shipment)

## (I) REGULAR CONSTRUCTIONS

Constructions	First quality		Substandard quality					
			Irregulars		Seconds		Thirds	
	Grade A	Grade B	Grade A	Grade B	Grade A	Grade B	Grade A	Grade B
A. Continuous filament:								
1. 39 gauge.....	\$9.78	\$9.21	\$5.77	\$5.23	\$4.23	\$4.14	\$3.29	\$3.10
2. 42 gauge.....	7.13	6.53	6.69	5.43	4.70	4.25	3.50	3.18
3. 45 gauge.....	7.70	6.84	6.55	5.82	5.14	4.65	3.85	3.41
4. 48 gauge.....	8.23	7.41	7.63	6.59	5.52	4.94	4.14	3.70
5. 51 gauge.....	8.85	7.99	7.53	6.70	5.91	5.33	4.43	3.69
6. 54 and 57 gauge.....	9.94	9.03	8.45	7.72	6.63	6.05	4.97	4.54
7. 60 gauge and higher.....	11.03	10.23	9.43	8.70	7.49	6.83	5.54	5.11
B. Continuous filament (outside):								
1. 39 gauge:								
14-14½" head.....	7.09	6.49	6.25	5.52	4.91	4.33	3.63	3.24
15-15½" head.....	7.63	7.07	6.75	6.01	5.29	4.71	3.97	3.63
16" head or wider.....	8.51	7.64	7.23	6.49	5.63	5.10	4.23	3.82
2. 42 gauge:								
14-14½" head.....	7.70	6.84	6.55	5.82	5.14	4.65	3.85	3.41
15-15½" head.....	8.23	7.41	7.63	6.59	5.52	4.94	4.14	3.70
16" head or wider.....	8.85	7.99	7.53	6.70	5.91	5.33	4.43	3.69
3. 45 gauge:								
14-14½" head.....	8.23	7.41	7.63	6.59	5.52	4.94	4.14	3.70
15-15½" head.....	8.85	7.99	7.53	6.70	5.91	5.33	4.43	3.69
16" head or wider.....	9.43	8.59	8.01	7.23	6.29	5.71	4.71	4.23

## (II) SPECIAL CONSTRUCTIONS

Constructions	First quality	Substandard quality		
		Irregulars	Seconds	Thirds
O. Mesh and non run:				
1. 42 gauge and lower.....	\$9.43	\$3.01	\$3.29	\$4.71
2. 45 gauge and higher.....	10.00	8.51	6.67	5.00
D. Needle out or drop needle stitch:				
1. 39 gauge and lower.....	8.51	7.23	5.63	4.25
2. 42 gauge.....	8.89	7.52	5.91	4.43
3. 45 and 48 gauge.....	9.31	7.91	6.21	4.65
E. Full lace and Jacquards:				
1. 42 gauge and lower.....	10.57	8.69	7.05	5.29
2. 45 and 48 gauge.....	11.15	9.49	7.41	5.67
3. 51 gauge and higher.....	12.09	10.45	8.21	6.15
F. Special types:				
33 and 35 gauge made of combination yarn.....	6.61	5.62	4.41	3.20
G. Cut and sewn lace or mesh.....	8.23	7.63	5.62	4.14
H. Semi-fashioned (Burson type):				
(i) continuous filament:				
1. Standard.....	5.00	4.25	3.33	2.49
2. Outside.....	5.63	4.79	3.76	2.82
3. Extra outside.....	6.73	5.77	4.62	3.59
(ii) combination yarn:				
1. Standard.....	4.63	4.15	3.25	2.44
2. Outside.....	5.29	4.49	3.53	2.64
I. Maximum price differentials for specific constructions (to be added to prices per dozen set forth for constructions A to E both inclusive):				
1. Premium welts (velts made of cotton, silk, spun rayon, blended or combination yarn).....	.57	.49	.39	.29
2. Extra lengths (34 inches minimum).....	.85	.73	.57	.42
3. Premium heel and sole (heel and sole reinforced with cotton, spun rayon or combination yarn).....	.43	.34	.25	.18
4. Leg made of spun rayon, blended, piled or combination yarn with premium welt and premium heel and sole.....	2.01	1.71	1.35	1.00

NOTE: All maximum prices are for sales out of stock; maximum prices for "drop shipments" are the prices set forth above less 3%.

TABLE 3.—SALES AT RETAIL

[Prices are expressed in dollars per pair]

(I) MAXIMUM PRICES FOR CLASS I RETAIL WOMEN'S HOSIERY OUTLETS—(a) REGULAR CONSTRUCTIONS

Constructions	First quality		Substandard quality					
			Irregulars		Seconds		Thirds	
	Grade A	Grade B	Grade A	Grade B	Grade A	Grade B	Grade A	Grade B
A. Continuous filaments:								
1. 39 gauge.....	\$0.71	\$0.65	\$0.60	\$0.55	\$0.47	\$0.43	\$0.35	\$0.32
2. 42 gauge.....	.75	.67	.63	.57	.50	.44	.37	.33
3. 45 gauge.....	.81	.72	.69	.61	.54	.48	.40	.36
4. 48 gauge.....	.86	.77	.74	.66	.58	.52	.43	.39
5. 51 gauge.....	.93	.84	.79	.71	.62	.56	.46	.42
6. 54 and 57 gauge.....	1.04	.95	.88	.81	.69	.63	.52	.47
7. 60 gauge and higher.....	1.16	1.07	.99	.91	.77	.71	.58	.53
B. Continuous filament (outside):								
1. 39 gauge:								
14-14½" head.....	.77	.68	.65	.58	.51	.45	.38	.34
15-15½" head.....	.83	.74	.71	.63	.55	.49	.41	.37
16" head or wider.....	.89	.80	.76	.68	.59	.53	.44	.40
2. 42 gauge:								
14-14½" head.....	.81	.72	.69	.61	.54	.48	.40	.36
15-15½" head.....	.87	.78	.74	.65	.58	.52	.43	.39
16" head or wider.....	.93	.84	.79	.71	.62	.56	.46	.42
3. 45 gauge:								
14-14½" head.....	.87	.78	.74	.66	.58	.52	.43	.39
15-15½" head.....	.93	.84	.79	.71	.62	.56	.46	.42
16" head or wider.....	.99	.90	.84	.76	.66	.60	.49	.45

(b) SPECIAL CONSTRUCTIONS

Constructions	First quality	Substandard quality		
		Irregulars	Seconds	Thirds
C. Mesh and nonrun:				
1. 42 gauge and lower.....	\$0.98	\$0.84	\$0.68	\$0.49
2. 45 gauge and higher.....	1.04	.89	.70	.62
D. Needle out or drop needle stitch:				
1. 39 gauge and lower.....	.89	.76	.60	.45
2. 42 gauge.....	.93	.79	.62	.46
3. 45 and 48 gauge.....	.98	.83	.65	.49
E. Full lace and jacquards:				
1. 42 gauge and lower.....	1.11	.94	.74	.55
2. 45 and 48 gauge.....	1.16	.99	.78	.58
3. 51 gauge and higher.....	1.29	1.09	.86	.64
F. Special types:				
33 and 36 gauge made of combination yarn.....	.69	.59	.46	.35
G. Cut and sewn lace or mesh.....	.86	.74	.58	.43
H. Semi-fashioned (Burton type):				
(i) Continuous filament:				
1. Standard.....	.52	.44	.35	.26
2. Outside.....	.59	.50	.39	.29
3. Extra outside.....	.71	.60	.47	.35
(ii) Combination yarn:				
1. Standard.....	.51	.44	.34	.26
2. Outside.....	.56	.47	.37	.28
I. Maximum price differentials for specific constructions (to be added to prices per pair set forth for constructions A to E both inclusive):				
1. Premium welts (welts made of: cotton, silk, spun rayon, blended or combination yarn).....	.07	.08	.05	.04
2. Extra lengths (34 inches minimum).....	.10	.08	.07	.05
3. Premium heel and sole (heel and sole reinforced with cotton, spun rayon or combination yarn).....	.05	.04	.03	.02
4. Leg made of spun rayon, blended, plied or combination yarn with premium welt and premium heel and sole.....	.22	.19	.15	.11

(II) MAXIMUM PRICES FOR CLASS II RETAIL WOMEN'S HOSIERY OUTLETS—(a) REGULAR CONSTRUCTIONS

Constructions	First quality		Substandard quality					
			Irregulars		Seconds		Thirds	
	Grade A	Grade B	Grade A	Grade B	Grade A	Grade B	Grade A	Grade B
A. Continuous filament:								
1. 39 gauge.....	\$0.80	\$0.74	\$0.68	\$0.63	\$0.54	\$0.49	\$0.40	\$0.37
2. 42 gauge.....	.84	.76	.72	.64	.56	.50	.42	.38
3. 45 gauge.....	.92	.80	.78	.69	.61	.54	.45	.40
4. 48 gauge.....	.98	.88	.83	.75	.65	.58	.49	.44
5. 51 gauge.....	1.05	.95	.89	.80	.69	.63	.52	.47
6. 54 and 57 gauge.....	1.18	1.08	1.00	.92	.78	.72	.59	.54
7. 60 gauge and higher.....	1.31	1.21	1.11	1.03	.87	.81	.65	.60
B. Continuous filament outside:								
1. 39 gauge:								
14-14½" head.....	.87	.77	.74	.65	.58	.51	.43	.38
15-15½" head.....	.94	.84	.80	.71	.63	.56	.47	.42
16" head or wider.....	1.01	.91	.86	.77	.67	.60	.50	.45
2. 42 gauge:								
14-14½" head.....	.91	.81	.78	.69	.61	.54	.46	.40
15-15½" head.....	.98	.88	.83	.75	.65	.59	.49	.44
16" head or wider.....	1.05	.95	.89	.81	.70	.63	.52	.47
3. 45 gauge:								
14-14½" head.....	.98	.88	.83	.75	.65	.59	.49	.44
15-15½" head.....	1.04	.95	.89	.81	.70	.63	.52	.47
16" head or wider.....	1.11	1.02	.95	.86	.75	.68	.56	.51

TABLE 3.—SALES AT RETAIL—Continued

[Prices are expressed in dollars per pair]

## (b) SPECIAL CONSTRUCTIONS

Constructions	First quality	Substandard quality		
		Irregulars	Seconds	Thirds
C. Mesh and nonrun:				
1. 42 gauge and lower.....	\$1.11	\$0.65	\$0.75	\$0.56
2. 45 gauge and higher.....	1.18	1.00	.79	.59
D. Needle out or drop needle stitch:				
1. 39 gauge and lower.....	1.01	.85	.63	.51
2. 42 gauge.....	1.05	.89	.70	.54
3. 45 and 48 gauge.....	1.11	.91	.74	.55
E. Full lace and jacquards:				
1. 42 gauge and lower.....	1.25	1.05	.83	.66
2. 45 and 48 gauge.....	1.32	1.11	.87	.65
3. 51 gauge and higher.....	1.45	1.23	.93	.72
F. Special types:				
33 and 36 gauge made of combination yarn.....	.79	.67	.62	.49
G. Cut and sewn lace or mesh.....	.68	.83	.65	.49
H. Semi-fashioned (Bursen type):				
(i) Continuous filament:				
1. Standard.....	.79	.59	.59	.23
2. Outsize.....	.67	.57	.44	.33
3. Extra outsize.....	.89	.68	.74	.49
(ii) Combination yarn:				
1. Standard.....	.78	.49	.59	.29
2. Outsize.....	.63	.53	.42	.32
I. Maximum price differentials for specific constructions (to be added to prices per pair set forth for constructions A to E both inclusive):				
1. Premium welts (welts made of cotton, silk, spun rayon, blended or combination yarn).....	.67	.65	.65	.04
2. Extra lengths (34 inches minimum).....	.19	.63	.67	.05
3. Premium heel and sole (heel and sole reinforced with cotton, spun rayon or combination yarn).....	.65	.04	.63	.02
4. Leg made of spun rayon, blended, plied or combination yarn with premium welt and premium heel and sole.....	.22	.19	.15	.11

## (b) Tables of maximum prices for circular knit hosiery.

TABLE 4.—SALES OF CIRCULAR KNIT HOSIERY BY MANUFACTURERS

[Prices are expressed in dollars per dozen f. o. b. point of shipment]

## (i) REGULAR CONSTRUCTIONS

Constructions	First quality		Substandard quality					
			Irregulars		Seconds		Thirds	
	Grade A	Grade B	Grade A	Grade B	Grade A	Grade B	Grade A	Grade B
A. Continuous filament (plain knit):								
1. 200 needle count and lower.....	\$2.00	\$1.75	\$1.70	\$1.49	\$1.33	\$1.17	\$1.00	\$0.87
2. 220-240 needle count.....	2.25	2.00	1.91	1.70	1.50	1.33	1.12	1.00
3. 250 needle count.....	2.50	2.10	2.13	1.75	1.67	1.49	1.25	1.03
4. 280 needle count.....	2.60	2.20	2.21	1.87	1.73	1.47	1.20	1.10
5. 300 needle count (producers twist).....	2.70	2.20	2.22	1.95	1.80	1.53	1.35	1.15
6. 300 needle count (high twist).....	3.10	2.60	2.63	2.21	2.07	1.73	1.55	1.30
7. 320 needle count.....	3.30	2.80	2.83	2.33	2.20	1.87	1.65	1.40
8. 340 needle count.....	3.40	2.75	2.67	2.34	2.33	1.83	1.75	1.37
9. 360-380 needle count.....	4.00	3.25	3.43	2.75	2.67	2.17	2.00	1.62
10. 400 needle count.....	5.25	4.50	4.45	3.82	3.50	3.00	2.62	2.25

TABLE 4.—SALES OF CIRCULAR KNIT HOSIERY BY MANUFACTURERS—Continued

[Prices are expressed in dollars per dozen f. o. b. point of shipment]

## (II) SPECIAL CONSTRUCTIONS

Constructions	First quality	Substandard quality		
		Irregulars	Seconds	Thirds
<b>B. Premium constructions:</b>				
(a) Leg made of blended yarn, spun rayon or combination yarn with premium welt:				
1. 200 needle count and lower.....	\$2.75	\$2.34	\$1.83	\$1.37
2. 220-240 needle count.....	3.00	2.55	2.00	1.50
3. 250 needle count.....	3.10	2.64	2.07	1.55
4. 280 needle count.....	3.20	2.72	2.13	1.60
5. 300 needle count.....	3.50	2.98	2.33	1.75
6. 320 needle count and higher.....	3.60	3.06	2.40	1.80
(b) Leg made of rayon plaited with cotton with premium welt:				
1. 200 needle count and lower.....	2.50	2.12	1.67	1.25
2. 220-240 needle count.....	2.75	2.34	1.83	1.37
3. 250 needle count.....	2.85	2.42	1.90	1.42
4. 280 needle count.....	2.95	2.51	1.97	1.47
5. 300 needle count.....	3.25	2.76	2.17	1.62
6. 320 needle count and higher.....	3.35	2.85	2.23	1.67
(c) Leg made of 2 ply spun rayon yarn with premium welt:				
1. 200 needle count and lower.....	3.25	2.76	2.17	1.62
2. 220-240 needle count.....	3.50	2.97	2.33	1.75
3. 250 needle count.....	3.60	3.06	2.40	1.80
4. 280 needle count.....	3.70	3.14	2.47	1.85
5. 300 needle count.....	4.00	3.40	2.67	2.00
6. 320 needle count and higher.....	4.10	3.48	2.73	2.05
(d) Leg made of plied rayon yarn spun on the silk system with premium welt:				
1. 220-240 needle count.....	4.75	4.04	3.17	2.37
2. 250-280 needle count.....	5.10	4.33	3.40	2.55
3. 300 needle count and higher.....	5.50	4.67	3.67	2.75
<b>C. Mesh constructions:</b>				
1. 200 needle count and lower:				
1 end.....	2.50	2.12	1.67	1.25
2 end.....	3.00	2.55	2.00	1.50
2. 220-240 needle count:				
1 end.....	2.75	2.34	1.83	1.33
2 end.....	3.25	2.75	2.17	1.63
3. 250-280 needle count:				
1 end.....	3.00	2.55	2.00	1.50
2 end.....	3.50	2.98	2.33	1.75
4. 300-320 needle count:				
1 end.....	3.50	2.98	2.33	1.75
2 end.....	4.00	3.40	2.67	2.00
5. 340 needle count:				
1 end.....	4.00	3.40	2.67	2.00
2 end.....	4.50	3.82	3.00	2.25
6. 360 needle count and higher:				
1 end.....	5.00	4.25	3.33	2.50
2 end.....	5.50	4.67	3.67	2.75
<b>D. Maximum price differentials for specific constructions (to be added to prices per dozen set forth for regular and mesh constructions):</b>				
1. Premium welts (velts made of cotton, blended rayon, spun rayon or combination yarn).....	.40	.34	.27	.20
2. Outsizes.....	.30	.26	.20	.15
3. Plied yarn in leg.....	.60	.51	.40	.30

TABLE 5.—SALES AT WHOLESALE OF CIRCULAR KNIT HOSIERY

[Prices are expressed in dollars per dozen f. o. b. point of shipment]

## (I) REGULAR CONSTRUCTION

Constructions	First quality		Substandard quality					
			Irregulars		Seconds		Thirds	
	Grade A	Grade B	Grade A	Grade B	Grade A	Grade B	Grade A	Grade B
<b>A. Continuous filament (plain knit):</b>								
1. 200 needle count and lower.....	\$2.35	\$2.06	\$2.00	\$1.75	\$1.56	\$1.38	\$1.18	\$1.02
2. 220-240 needle count.....	2.65	2.35	2.25	2.00	1.76	1.56	1.32	1.18
3. 250 needle count.....	2.94	2.47	2.51	2.11	1.96	1.65	1.47	1.24
4. 280 needle count.....	3.06	2.59	2.60	2.20	2.04	1.73	1.53	1.29
5. 300 needle count (producers twist).....	3.18	2.71	2.69	2.29	2.12	1.80	1.59	1.35
6. 300 needle count (high twist).....	3.65	3.06	3.09	2.60	2.44	2.04	1.82	1.53
7. 320 needle count.....	3.88	3.29	3.29	2.80	2.59	2.20	1.94	1.65
8. 340 needle count.....	4.12	3.24	3.49	2.75	2.74	2.15	2.06	1.61
9. 360-380 needle count.....	4.71	3.82	4.00	3.25	3.14	2.55	2.35	1.91
10. 400 needle count.....	6.18	5.29	5.25	4.49	4.12	3.53	3.08	2.65



TABLE 5.—SALES AT WHOLESALE OF CIRCULAR KNIT HOSIERY—Continued

[Prices are expressed in dollars per dozen f. o. b. point of shipment]

## (II) SPECIAL CONSTRUCTIONS

Constructions	First quality	Substandard quality		
		Irregulars	Seconds	Thirds
<b>B. Premium constructions:</b>				
(a) Leg made of blended yarn, spun rayon or combination yarn with premium welt:				
1. 200 needle count and lower.....	\$3.24	\$2.75	\$2.15	\$1.61
2. 220-240 needle count.....	3.53	3.09	2.35	1.76
3. 260 needle count.....	3.63	3.11	2.44	1.82
4. 280 needle count.....	3.70	3.20	2.51	1.83
5. 300 needle count.....	4.12	3.61	2.74	2.06
6. 320 needle count and higher.....	4.24	3.69	2.82	2.12
(b) Leg made of rayon plaited with cotton with premium welt:				
1. 200 needle count and lower.....	2.94	2.50	1.93	1.47
2. 220-240 needle count.....	3.24	2.75	2.15	1.61
3. 260 needle count.....	3.35	2.85	2.24	1.67
4. 280 needle count.....	3.47	2.95	2.32	1.73
5. 300 needle count.....	3.83	3.25	2.55	1.91
6. 320 needle count and higher.....	3.94	3.35	2.62	1.96
(c) Leg made of 2-ply spun rayon yarn with premium welt:				
1. 200 needle count and lower.....	3.82	3.25	2.55	1.91
2. 220-240 needle count.....	4.12	3.59	2.74	2.06
3. 260 needle count.....	4.24	3.60	2.82	2.12
4. 280 needle count.....	4.35	3.70	2.91	2.15
5. 300 needle count.....	4.71	4.00	3.14	2.35
6. 320 needle count and higher.....	4.82	4.10	3.21	2.41
(d) Leg made of plied rayon yarn spun on the silk system with premium welt:				
1. 220-240 needle count.....	5.13	4.75	3.73	2.79
2. 260-280 needle count.....	6.00	5.19	4.00	3.00
3. 300 needle count and higher.....	6.47	5.60	4.32	3.24
<b>C. Mesh constructions:</b>				
1. 200 needle count and lower:				
1 end.....	2.94	2.50	1.93	1.47
2 end.....	3.53	3.09	2.35	1.76
2. 220-240 needle count:				
1 end.....	3.24	2.75	2.15	1.62
2 end.....	3.82	3.25	2.55	1.92
3. 260-280 needle count:				
1 end.....	3.53	3.00	2.35	1.76
2 end.....	4.12	3.61	2.74	2.06
4. 300-320 needle count:				
1 end.....	4.12	3.61	2.74	2.06
2 end.....	4.71	4.00	3.14	2.35
5. 340 needle count:				
1 end.....	4.71	4.00	3.14	2.35
2 end.....	5.29	4.43	3.53	2.65
6. 360 needle count and higher:				
1 end.....	5.83	5.00	3.92	2.94
2 end.....	6.47	5.60	4.32	3.24
<b>D. Maximum price differentials for specific constructions (to be added to prices per dozen set forth for regular and mesh constructions):</b>				
1. Premium welts (welts made of cotton, blended rayon, spun rayon, or combination yarn).....	.47	.43	.32	.24
2. Outsizes.....	.35	.31	.24	.19
3. Piled yarn in leg.....	.71	.63	.47	.35

NOTE: All maximum prices are for sales out of stock; maximum prices for "drop shipments" are the prices set forth above less 5%.

TABLE 6.—SALES AT RETAIL OF CIRCULAR KNIT HOSIERY

[Prices are expressed in dollars per pair]

## (I) RETAIL PRICES FOR HOSIERY PURCHASED BY THE RETAIL SELLER FROM A MANUFACTURER—(a) REGULAR CONSTRUCTIONS

Constructions	First quality		Substandard quality					
			Irregulars		Seconds		Thirds	
	Grade A	Grade B	Grade A	Grade B	Grade A	Grade B	Grade A	Grade B
<b>A. Continuous filament (plain knit):</b>								
1. 200 needle count and lower.....	\$0.25	\$0.21	\$0.21	\$0.18	\$0.16	\$0.14	\$0.12	\$0.11
2. 220-240 needle count.....	.23	.23	.21	.21	.18	.17	.14	.12
3. 260 needle count.....	.30	.27	.23	.22	.20	.17	.15	.13
4. 280 needle count.....	.32	.27	.27	.23	.21	.18	.16	.13
5. 300 needle count (producer's twist).....	.33	.23	.23	.21	.22	.19	.17	.14
6. 300 needle count (high twist).....	.38	.33	.32	.27	.25	.21	.19	.16
7. 320 needle count.....	.40	.34	.34	.29	.27	.23	.20	.17
8. 340 needle count.....	.43	.34	.33	.29	.29	.22	.21	.17
9. 360-380 needle count.....	.49	.40	.42	.34	.33	.27	.25	.20
10. 400 needle count.....	.64	.55	.55	.47	.43	.37	.32	.23

TABLE 6.—SALES AT RETAIL OF CIRCULAR KNIT HOSIERY—Continued

[Prices are expressed in dollars per pair]

## (b) SPECIAL CONSTRUCTIONS

Constructions	First quality	Substandard quality		
		Irregulars	Seconds	Thirds
<b>B. Premium constructions:</b>				
(a) Leg made of blended yarn, spun rayon or combination yarn with premium welt:				
1. 200 needle count and lower.....	\$0.34	\$0.20	\$0.23	\$0.17
2. 220-240 needle count.....	.36	.31	.25	.18
3. 260 needle count.....	.38	.33	.26	.19
4. 280 needle count.....	.40	.34	.27	.20
5. 300 needle count.....	.43	.37	.29	.22
6. 320 needle count and higher.....	.45	.38	.30	.23
(b) Leg made of rayon plaited with cotton with premium welt:				
1. 200 needle count and lower.....	.31	.26	.21	.16
2. 220-240 needle count.....	.34	.29	.23	.17
3. 260 needle count.....	.35	.30	.24	.18
4. 280 needle count.....	.37	.31	.25	.18
5. 300 needle count.....	.40	.34	.27	.20
6. 320 needle count and higher.....	.42	.35	.28	.21
(c) Leg made of 2 ply spun rayon yarn with premium welt:				
1. 200 needle count and lower.....	.40	.34	.27	.20
2. 220-240 needle count.....	.44	.37	.29	.22
3. 260 needle count.....	.45	.38	.30	.23
4. 280 needle count.....	.46	.39	.31	.23
5. 300 needle count.....	.50	.42	.33	.25
6. 320 needle count and higher.....	.51	.43	.34	.25
(d) Leg made of plied rayon yarn spun on the silk system with premium welt:				
1. 220-240 needle count.....	.59	.50	.39	.29
2. 260-280 needle count.....	.63	.54	.42	.32
3. 300 needle count and higher.....	.68	.58	.46	.34
<b>C. Mesh constructions:</b>				
1. 200 needle count and lower:				
1 end.....	.31	.26	.21	.16
2 end.....	.37	.32	.25	.19
2. 220-240 needle count:				
1 end.....	.34	.29	.23	.17
2 end.....	.41	.33	.27	.20
3. 260-280 needle count:				
1 end.....	.37	.31	.25	.18
2 end.....	.43	.37	.29	.22
4. 300-320 needle count:				
1 end.....	.43	.37	.29	.22
2 end.....	.50	.42	.33	.25
5. 340 needle count:				
1 end.....	.50	.42	.33	.25
2 end.....	.56	.48	.37	.28
6. 360 needle count and higher:				
1 end.....	.62	.53	.41	.31
2 end.....	.68	.58	.46	.34
<b>D. Maximum price differentials for specific constructions (to be added to prices per pair set forth for regular and mesh constructions):</b>				
1. Premium welts (welts made of cotton, blended rayon, spun rayon or combination yarn).....	.05	.04	.03	.02
2. Outsizes.....	.04	.03	.03	.02
3. Plied yarn in leg.....	.07	.06	.05	.04

NOTE: The prices in this table are applicable to all sales of hosiery which the seller at retail bought (a) from a manufacturer, as defined in this regulation or (b) in any sale to which manufacturer's ceiling prices were applicable.

## (H) RETAIL PRICES FOR HOSIERY PURCHASED BY THE RETAIL SELLER FROM A WHOLESALER—(a) REGULAR CONSTRUCTIONS

Constructions	First quality		Substandard quality					
			Irregulars		Seconds		Thirds	
	Grade A	Grade B	Grade A	Grade B	Grade A	Grade B	Grade A	Grade B
<b>A. Continuous filament (plain knit):</b>								
1. 200 needle count and lower.....	\$0.28	\$0.25	\$0.24	\$0.21	\$0.19	\$0.17	\$0.14	\$0.12
2. 220-240 needle count.....	.32	.28	.27	.24	.21	.19	.16	.14
3. 260 needle count.....	.35	.30	.30	.25	.23	.20	.18	.15
4. 280 needle count.....	.37	.31	.31	.26	.24	.21	.18	.15
5. 300 needle count (producers twist).....	.38	.32	.32	.27	.25	.22	.19	.16
6. 300 needle count (high twist).....	.44	.37	.37	.31	.29	.24	.22	.18
7. 320 needle count.....	.47	.39	.39	.34	.31	.26	.23	.20
8. 340 needle count.....	.49	.39	.42	.33	.33	.26	.25	.19
9. 360-380 needle count.....	.56	.46	.48	.39	.38	.31	.28	.23
10. 400 needle count.....	.74	.63	.63	.54	.49	.42	.37	.32

TABLE C.—SALES AT RETAIL OF CIRCULAR KNIT HOSIERY—Continued

[Prices are expressed in dollars per pair]

## (b) SPECIAL CONSTRUCTIONS

Construction	First quality	Substandard quality		
		Irregulars	Seconds	Thirds
B. Premium Constructions:				
(a) Leg made of blended yarn, spun rayon or combination yarn with premium welt:				
1. 200 needle count and lower.....	\$0.33	\$0.33	\$0.23	\$0.19
2. 220-240 needle count.....	.42	.39	.23	.21
3. 260 needle count.....	.41	.37	.23	.23
4. 280 needle count.....	.45	.33	.23	.23
5. 300 needle count.....	.50	.42	.33	.25
6. 320 needle count and higher.....	.51	.43	.34	.25
(b) Leg made of rayon plaited with cotton with premium welt:				
1. 200 needle count and lower.....	.35	.30	.21	.18
2. 220-240 needle count.....	.39	.33	.23	.19
3. 260 needle count.....	.40	.34	.27	.20
4. 280 needle count.....	.42	.35	.23	.21
5. 300 needle count.....	.46	.39	.31	.23
6. 320 needle count and higher.....	.47	.40	.31	.24
(c) Leg made of 2 ply spun rayon yarn with premium welt:				
1. 200 needle count and lower.....	.46	.39	.31	.23
2. 220-240 needle count.....	.49	.42	.33	.23
3. 260 needle count.....	.51	.43	.34	.23
4. 280 needle count.....	.52	.44	.35	.23
5. 300 needle count.....	.56	.48	.38	.23
6. 320 needle count and higher.....	.58	.49	.38	.23
(d) Leg made of plied rayon yarn spun on the silk system with premium welt:				
1. 220-240 needle count.....	.67	.57	.43	.33
2. 260-280 needle count.....	.72	.61	.48	.35
3. 300 needle count and higher.....	.78	.63	.52	.37
C. Mesh constructions:				
1. 200 needle count and lower:				
1 end.....	.35	.29	.21	.18
2 end.....	.42	.39	.23	.21
2. 220-240 needle count:				
1 end.....	.39	.33	.23	.19
2 end.....	.46	.39	.33	.23
3. 260-280 needle count:				
1 end.....	.43	.35	.23	.21
2 end.....	.50	.42	.33	.23
4. 300-320 needle count:				
1 end.....	.50	.42	.33	.23
2 end.....	.57	.48	.38	.23
5. 340 needle count:				
1 end.....	.57	.43	.33	.23
2 end.....	.64	.54	.43	.32
6. 360 needle count and higher:				
1 end.....	.71	.60	.47	.35
2 end.....	.78	.63	.52	.37
D. Maximum Price differentials for specific constructions (to be added to prices per pair set forth for regular and mesh constructions):				
1. Premium welts (velts made of cotton, blended rayon, spun rayon or combination yarn).....	.03	.03	.04	.03
2. Outsizes.....	.04	.04	.03	.02
3. Plied yarn in leg.....	.09	.07	.05	.04

**Effective date.** This Revised Maximum Price Regulation No. 339 shall become effective August 23, 1943.

**Note:** The records and reports provisions of this regulation have been approved by the Bureau of the Budget under the Federal Reports Act of 1942.

Issued this 23d day of August 1943.

CHESTER BOWLES,  
Acting Administrator.

[F. R. Doc. 43-13752; Filed, August 23, 1943;  
4:43 p. m.]

# PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 13, Amdt. 55]

## PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and

<sup>1</sup> 8 F.R. 1840, 2288, 2681, 2684, 2943, 3179, 3949, 4342, 4525, 4726, 4784, 4921, 5318, 5342, 5480, 5568, 5757, 5758, 5818, 5819, 5847, 6046, 6137, 6138, 6181, 6838, 6839, 7353, 7490, 7589, 8357, 8705, 9012, 9024, 9216, 9305, 9459, 10511, 10665.

has been filed with the Division of the Federal Register.\*

Ration Order 13 is amended in the following respect:

Section 4.6 (d) is amended to read as follows:

(d) *When a wholesaler is entitled to receive a certificate.* If a wholesaler's maximum allowable inventory for any reporting period is greater, by at least 10%, than his point inventory at the end of the preceding reporting period, he will be issued a "certificate" for the number of points needed to make up the difference. The certificate will be issued by the "Washington Office" after his report has been checked.

This amendment shall become effective August 27, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280,

\*Copies may be obtained from the Office of Price Administration.

7 F.R. 10179; WPB Directive 3, 8 F.R. 2005, and Food Directive 5, 8 F.R. 2251.)

Issued this 23d day of August 1943.

CHESTER BOWLES,  
Acting Administrator.

[F. R. Doc. 43-13743; Filed, August 23, 1943;  
4:35 p. m.]

# PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 13, Amdt. 55]

## PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.\*

Ration Order 13 is amended in the following respects:

1. Section 10.10 (e) is added to read as follows:

(e) *Point-free delivery to home processors.* No points need be given up for a transfer of home processed foods by an authorized customs official to the person who produced them in a way described in Article XXVI, if the person gives his signed statement to the official showing:

- (1) His name and address;
- (2) The place where the home processed foods were produced;
- (3) The amount and kinds of home processed foods being imported;
- (4) A statement showing that he produced the home processed foods in a way described in Article XXVI.

The Collector of Customs shall turn over, each month, to the district office for the area in which the point of entry is located, all statements received by him in this way during the preceding month.

2. Section 26.9 is added to read as follows:

Sec. 26.9 *Applicability.* The provisions of this Article apply whether or not the home processed foods are produced within the forty-eight states of the United States and the District of Columbia.

This amendment shall become effective August 27, 1943.

**Note:** All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 552; Food Directive 3, 8 F.R. 2005, and Food Directive 5, 8 F.R. 2251)

Issued this 23d day of August 1943.

CHESTER BOWLES,  
Acting Administrator.

[F. R. Doc. 43-13753; Filed, August 23, 1943;  
4:24 p. m.]

<sup>1</sup> 8 F.R. 1840, 2288, 2681, 2684, 2943, 3179, 3949, 4342, 4525, 4726, 4784, 4921, 5318, 5342, 5480, 5568, 5757, 5758, 5818, 5819, 5847, 6046, 6137, 6138, 6181, 6838, 6839, 7353, 7490, 7589, 8357, 8705, 9012, 9024, 9216, 9305, 9459, 10511, 10665.

## PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,<sup>1</sup> Amdt. 56]

## MEAT, FATS, FISH AND CHEESES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.\*

Ration Order 16 is amended in the following respects:

1. Section 3.1 (d) is added to read as follows:

(d) The provisions of this section apply whether or not the foods are produced within the forty-eight states of the United States and the District of Columbia.

2. Section 11.11 (d) is added to read as follows:

(d) No points need be given up for a release or delivery of foods covered by this order by an authorized customs official to the person who produced them in a way described in section 3.1, if the person submits a written statement to the official showing:

(1) His name and address;  
(2) The place where the foods were produced;  
(3) The amount and kinds of foods being imported;

(4) A statement showing that he produced the foods in a way described in section 3.1.

The Collector of Customs shall turn over, each month, to the district office for the area in which the point of entry is located, all statements received by him in this way during the preceding month.

This amendment shall become effective August 27, 1943.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; Food Dir. 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 23d day of August 1943.

CHESTER BOWLES,  
Acting Administrator.

[F. R. Doc. 43-13744; Filed, August 23, 1943;  
4:36 p. m.]

## PART 1499—COMMODITIES AND SERVICES

[MPR 165, as Amended,<sup>2</sup> Amdt. 27]

## LUMBER GRADING AND INSPECTION SERVICES

A statement of the considerations involved in the issuance of this amend-

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup> 8 F.R. 6446, 6614, 6620, 6687, 6840, 6940, 6961, 7115, 7268, 7281, 7455, 7492, 8357, 8540, 8614, 8844, 8869, 9014, 9025, 9217, 9305, 9886, 10085, 10432, 10511, 10665, 10763.

<sup>2</sup> 7 F.R. 6428, 6966, 8239, 8431, 8798, 8943, 8948, 9197, 9342, 9343, 9785, 9971, 9972, 10460, 10619, 10718, 11010; 8 F.R. 1060, 3324, 4782, 5681, 5755, 5933, 6364, 8506, 8873, 10671, 10921.

ment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Section 1499.101 (c) (37) is amended to read as follows:

(37) Lumber—drying, milling, processing, and treating, other than treating by pressure process, of, on a custom basis; and inspection, grading, reinspection, certification, and grademarking of, for manufacturers, distributors, or purchasers.

This amendment shall become effective August 28, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 23d day of August 1943.

CHESTER BOWLES,  
Acting Administrator.

[F. R. Doc. 43-13756; Filed, August 23, 1943;  
4:42 p. m.]

## PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14, Amdt. 20]

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Section 4.7 of Revised Supplementary Regulation 14 is amended to read as follows:

(3) For all other sales and deliveries of defluorinated phosphate by processors, the maximum price shall be the same as for sales and deliveries in 100 pound paper bags plus or minus the difference in cost of packing in other than 100 pound paper bags.

(b) *Sales by jobbers.* The maximum price that a jobber may charge for the sale or delivery of defluorinated phosphate in carload lots shall be 50 cents per ton (maximum markup) and in less than carload lots shall be \$1.00 per ton (maximum markup) over the maximum price which he could lawfully have paid a processor for the quantity and quality purchased together with actual or reasonable transportation charges incurred by the seller in respect to the lot sold.

(c) *Sales by wholesalers.* The maximum price that a wholesaler may charge for the sale or delivery of defluorinated phosphate shall be \$2.00 per ton (maximum markup) over the maximum price which he could lawfully have paid the processor or jobber from whom he purchased (or if he purchased from any other class of person, over the maximum price which he could lawfully have paid a processor) for the quantity or quality purchased together with actual or reasonable transportation charges incurred by the seller in respect to the lot sold.

(d) *Sales by retailers.* The maximum price that a retailer may charge for the sale or delivery of defluorinated phosphate shall be \$5.00 per ton (maximum markup) over the maximum price which he could lawfully have paid to the processor, jobber or wholesaler from whom he purchased (or if he purchased from

any other class of persons, over the maximum price which he could lawfully have paid a processor) for the quantity and quality purchased together with actual or reasonable transportation charges incurred by the seller in respect to the lot sold.

(e) *Sales by any other persons.* The maximum price for the sale of defluorinated phosphate by any other person of a class of seller not hereinbefore specifically provided for shall be the maximum price which his seller could lawfully have charged for a like sale. Notwithstanding any other provision of this regulation, sales between persons of one of the class of sellers hereinbefore specifically provided for shall be permissible: *Provided*, That no such sales, nor sales to a person of a different class, shall be at a higher price than the maximum price hereinbefore prescribed for said class of sellers.

(f) *Geographical applicability.* Section 4.7 shall apply to all sales, whether for immediate or future delivery, within the 48 states and the District of Columbia of the United States of imported and domestic defluorinated phosphate whether produced from domestic or imported phosphate.

(g) *Definitions.* (1) "Defluorinated phosphate" shall mean that product obtained by processing phosphate so that the fluorine content is reduced below a toxic level.

(2) "Per net ton" shall mean a quantity of at least 2000 pounds.

(3) "Jobber" means a person other than a retailer who buys defluorinated phosphate and resells the same without unloading into a warehouse.

(4) "Wholesaler" means a person who buys defluorinated phosphate and unloads his purchase into a warehouse and resells the same, except at retail.

(5) "Retailer" means a person who buys defluorinated phosphate and resells the same to an ultimate consumer.

(6) "Ultimate consumer" means a person who buys defluorinated phosphate for feeding and not for resale or processing.

(7) "Transportation charges" shall be computed at:

(i) The lowest common carrier rate (including the 3 percent tax provided for in section 620 of the Revenue Act of 1942, as amended) for the billing or shipment in question; or

(ii) If there is no such rate, the reasonable value of the service (including said 3 percent tax, if any) not exceeding any maximum price established therefor.

This amendment shall become effective August 28, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4631)

Issued this 23d day of August 1943.

CHESTER BOWLES,  
Acting Administrator.

[F. R. Doc. 43-13742; Filed, August 23, 1943;  
4:36 p. m.]

PART 1499—COMMODITIES AND SERVICES  
[Rev. SR 1, Amdt. 24]CERTAIN WASTE MATERIALS: PAPER MILL  
FELTS

A statement of the considerations involved in the issuance of this amend-

ment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Revised Supplementary Regulation No. 1 is amended in the following respects:

1. Section 2.12 (a) (2) is amended to read as follows:

(2) "Waste materials" does not include top pickup paper mill felts or jacket felts, used all-wool sanforizing machine blankets, used all-wool Palmer machine blankets, scrap burlap or scrap bagging or bale coverings composed of jute, hemp, istle, sisal or similar fibers, nor cotton mill waste (defined to mean all cotton waste produced in the process of converting raw cotton into yarn and yarn into cloth, except jute bagging removed from cotton bales and except any kind of scrap burlap or bagging), nor fat-bearing and oil-bearing animal waste materials.

2. Section 3.2 (b) (2) is amended to read as follows:

(2) Sales and deliveries of top pickup paper mill felts or jacket felts, used all-wool sanforizing machine blankets, used all-wool Palmer machine blankets, scrap burlap, and scrap bagging or bale coverings composed of jute, hemp, istle, sisal or similar fibers.

This amendment shall become effective August 28, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 23d day of August 1943.

CHESTER BOWLES,  
Acting Administrator.

[F. R. Doc. 43-13762; Filed, August 23, 1943;  
4:41 p. m.]

#### PART 1499—COMMODITIES AND SERVICES

[Order 92 Under SR 15 to GMPR]

ERNEST E. HENDRIX, INC.

Order No. 92 under § 1499.75 (a) (3) of Supplementary Regulation No. 15 to the General Maximum Price Regulation; Docket No. GF3-3160.

For the reasons set forth in an opinion issued simultaneously herewith: *It is ordered:*

§ 1499.1392 *Adjustment of maximum prices for contract carrier services furnished by Ernest C. Hendrix, Inc.* (a) Ernest C. Hendrix, Inc., Aberdeen, Maryland, may sell and deliver contract carrier services at rates not to exceed those set forth in Exhibit A attached to the application and further identified as contract No. VAN-17112.

(b) All requests of the application not granted herein are denied.

(c) This Order No. 92 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 92 (§ 1499.1392) shall become effective August 24, 1943.

\*Copies may be obtained from the Office of Price Administration.

No. 168—6

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 23d day of August 1943.

CHESTER A. BOWLES,  
Acting Administrator.

[F. R. Doc. 43-13760; Filed, August 23, 1943;  
4:41 p. m.]

#### PART 1499—COMMODITIES AND SERVICES

MILLIS TRANSPORTATION CO., INC.

Order No. 93 under § 1499.75 (a) (3) of Supplementary Regulation No. 15 to the General Maximum Price Regulation; Docket No. GF3-1128.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1393 *Adjustment of maximum prices for contract carrier services by Millis Transportation Company, Inc., of Millis, Massachusetts.* (a) Millis Transportation Company, Inc., of Millis, Massachusetts, may sell and deliver contract carrier services to the Ruberoid Co., at prices not to exceed 6% above the maximum prices established for the same services in March 1942.

(b) All requests of the application not granted herein are denied.

(c) This Order No. 93 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 93 (§ 1499.1393) shall become effective August 24, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 23d day of August 1943.

CHESTER BOWLES,  
Acting Administrator.

[F. R. Doc. 43-13755; Filed, August 23, 1943;  
4:41 p. m.]

#### PART 1412—SOLVENTS

[MPR 170, Amdt. 6]

ANTI-FREEZE

Correction

In item 1 of F.R. Doc. 43-13399 (8 F.R. 11437), the quoted portion in the first sentence of subdivision (ii) should read as follows:

(ii) \* \* \* "----- gallon(s) of this anti-freeze added to one gallon of water will reduce the freezing point of the mixture to 10 degrees below zero Fahrenheit."

#### PART 1499—COMMODITIES AND SERVICES

[Order 90 Under SR 15 to GMPR, Corr.]

ALLER AND SHARP, INC.

Correction to Order No. 90 under § 1499.75 (a) (3) of Supplementary Reg-

ulation No. 15 to the General Maximum Price Regulation, Docket No. GF3-3370.

The reference to Docket No. GF3-3307 in Order No. 90 under § 1499.75 (a) (3) of Supplementary Regulation No. 15 to the General Maximum Price Regulation is corrected to read Docket No. GF3-3370.

This correction shall become effective August 23, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 23d day of August 1943.

CHESTER BOWLES,  
Acting Administrator.

[F. R. Doc. 43-13761; Filed, August 23, 1943;  
4:41 p. m.]

#### PART 1340—FUEL

[MPR 120, Amdt. 69]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

A statement of considerations involved in the issuance of this Amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Maximum Price Regulation No. 120 is amended in the following respect:

1. In § 1340.205, new paragraph (e) is added to read as follows:

(e) Except where previously filed with the Bituminous Coal Division, every producer operating any mine the daily average capacity of which exceeds 50 net tons, shall for such mine file with the Solid Fuels Branch, Office of Price Administration, Washington, D. C., Form B. C. D. Nos. 283 and 350, issued by the Bituminous Coal Division, for each of the months April to July, 1943, inclusive.

This amendment shall be effective August 23, 1943.

NOTE: The reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 23d day of August 1943.

CHESTER A. BOWLES,  
Acting Administrator.

[F. R. Doc. 43-13757; Filed, August 23, 1943;  
4:42 p. m.]

\* 7 F.R. 3163, 3447, 3301, 4336, 4342, 4404, 4540, 4541, 4700, 5039, 5560, 5607, 5827, 5935, 6163, 6318, 6265, 6272, 6172, 6325, 6524, 6744, 6933, 7777, 7670, 7914, 7342, 8354, 8650, 8948, 9783, 10470, 10531, 10783, 10933, 11003, 11012; 8 F.R. 926, 1383, 1623, 1679, 1747, 1871, 2023, 2030, 2273, 2284, 2501, 2497, 2713, 2273, 2920, 2397, 3216, 3355, 4253, 4717, 4735, 5417, 6443, 7200, 8504, 8018, 10338.



## PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 11, Amdt. 76]

## FUEL OIL RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.\*

Ration Order No. 11 is amended in the following respects:

1. Section 1394.5001 (a) (9) (iv) is amended to read as follows:

(iv) The equipment furnishes heat or domestic hot water, or both, to premises located in the States of Florida (east of the Apalachicola River), Georgia, Idaho, Oregon or Washington; or, if the premises are located in the remainder of the limitation area, the allowable ration for the operation of such equipment for the entire heating year is less than 10,000 gallons.

2. Section 1394.5001 (a) (9) (v) is revoked.

This amendment shall become effective on August 27, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong., Pub. Law 421, 77th Cong.; WPB Dir. No. 1, 7 F.R. 562; Supp. Dir. No. 1-0, as amended, 7 F.R. 8416; E.O. 9125, 7 F.R. 2719)

Issued this 23d day of August 1943.

CHESTER BOWLES,  
Acting Administrator.

[F. R. Doc. 43-13750; Filed, August 23, 1943; 4:38 p. m.]

## PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426, Amdt. 6]

## FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Maximum Price Regulation 426 is amended in the following respects:

1. In section 15, Appendix B (1) Table 1, the text of the first paragraph is amended by adding a sentence immediately preceding the parenthetical sentence "(See examples for use of following tables)" to read as follows:

Whenever used in this Appendix B the term "institutional users" shall include the United States or any agency thereof.

\*Copies may be obtained from the Office of Price Administration.

7 F.R. 8480, 8809, 8897, 9316, 9398, 9492, 9427, 9430, 9621, 9784, 10153, 10081, 10379, 10530, 10531, 10780, 10707, 11118, 11071; 8 F.R. 165, 237, 437, 369, 374, 535, 439, 444, 607, 608, 977, 1203, 1316, 1235, 1282, 1681, 1636, 1859, 2194, 2432, 2598, 2781, 2871, 2720, 2942, 2993, 2887, 3106, 3521, 3628, 3733, 3848, 3948, 4255, 4137, 4350, 4784, 4850, 5678, 6064, 6262, 6960, 7588, 6137, 9059, 9219, 9458, 9382, 10082, 10089, 10304, 10435, 11380.

\*8 F.R. 9546, 9568, 9727, 10571, 10673.

2. Section 15, Appendix C (e) (4) is amended to read as follows:

(4) *Adjustment provisions.* (See also section 2 of Article 1.) Any regional office or such district office of the Office of Price Administration as may be authorized by the appropriate regional office, may, by order, adjust the maximum prices for raspberries as follows: The upward limit to which prices in Column I may be adjusted is the lower of (a) the average price received by growers for the 1942 crop in the region or district wherein the adjusted price is to be effected as determined by the regional or district office from official United States Department of Agriculture market news sources plus 3 cents per pound or (b) 18 cents per pound plus an amount equal to the freight between the area for which the adjustment is being made and the shipping point, in Oregon, Washington, New York, Pennsylvania, Ohio and Michigan, which is nearest to that area. The prices in Column I so adjusted shall be substituted for the corresponding base figures in Column II and III.

No adjustment upward may be made for raspberries grown or sold in the states of Oregon, Washington, New York, Pennsylvania, Ohio, or Michigan.

This amendment shall become effective August 23, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 23d day of August 1943.

CHESTER BOWLES,  
Acting Administrator.

[F. R. Doc. 43-13759; Filed, August 23, 1943; 4:43 p. m.]

## TITLE 41—PUBLIC CONTRACTS

## Chapter I—Procurement Division, Department of the Treasury

## PART 11—STANDARD CONTRACT PROCEDURE

## APPROVAL BY DIRECTOR OF PROCUREMENT

Section 11.103 of the regulations under this part is hereby amended to read as hereinafter provided:

§ 11.103 *Approval by Director of Procurement.* To assure the uniformity of purchase order forms as regards the features standardized by these regulations, all proposed forms shall be submitted to the Director of Procurement for approval prior to printing. The Director of Procurement will review proposed forms as to the standardized features only, and his approval will not extend to any feature left optional under these regulations. Without regard to § 11.3, the Director of Procurement may approve any purchase order form under this section notwithstanding minor deviations from the standardized format which he determines to be necessary to the department or establishment concerned and to effect no substantial impairment, beyond that de-

termined to be necessary, of the purposes of uniformity.

[SEAL] A. J. WALSH,  
Acting Director of Procurement.  
Approved: August 21, 1943.

JOHN L. SULLIVAN,  
Acting Secretary of the Treasury.

[F. R. Doc. 43-13818; Filed, August 24, 1943; 11:58 a. m.]

## PART 38—LOANS TO NON-FEDERAL VOCATIONAL EDUCATION AUTHORITIES OF SURPLUS PERSONAL PROPERTY OF NATIONAL YOUTH ADMINISTRATION

## DEFINITIONS

AUGUST 18, 1943.

Paragraph (d) of § 38.1 (8 F.R. 10366) of the regulations contained in this part is amended to read as follows:

§ 38.1 *Definitions.* \* \* \*

(d) The term "vocational education program" means a program which substantially meets the standards established by a plan for vocational education approved by the United States Commissioner of Education under the Smith-Hughes Act<sup>1</sup> or the George-Deen Act<sup>2</sup> or under the regulations governing the education and training of war workers pursuant to Public Law 647, 77th Congress, approved July 2, 1942, or Public Law 135, 78th Congress, approved July 12, 1943.

(Pub. Law 140, 78th Cong.)

[SEAL] A. J. WALSH,  
Acting Director of Procurement.

[F. R. Doc. 43-13740; Filed, August 23, 1943; 3:38 p. m.]

## TITLE 50—WILDLIFE

## Chapter I—Fish and Wildlife Service

## PART 21—PACIFIC REGION NATIONAL WILDLIFE REFUGES

## TULE LAKE NATIONAL WILDLIFE REFUGE, CALIFORNIA

Pursuant to section 84 of the Act of March 4, 1909, as amended by the Act of April 15, 1924, 43 Stat. 98; 18 U.S.C. 145, and section 10 of the Migratory Bird Conservation Act, of February 18, 1929 (45 Stat. 1222; 16 U.S.C. 715i), as amended, and in extension of § 12.9 of the Regulations for the Administration of National Wildlife Refuges under the Jurisdiction of the Fish and Wildlife Service, dated December 19, 1940 (5 F.R. 5284), the following is hereby ordered:

Section 21.913, *Tule Lake National Wildlife Refuge, hunting of certain game birds* (4 F.R. 4333, 5 F.R. 3812), is herewith amended by striking out paragraph

<sup>1</sup>Act of February 23, 1917, 39 Stat. 929, as amended (U.S.C. title 20, secs. 11-15, 16-28).

<sup>2</sup>Act of June 8, 1933, 47 Stat. 1488 (U.S.C. title 20, secs. 15h-15p).

(a) and inserting in lieu thereof the following:

(a) *Shooting area.* That part of the Tule Lake National Wildlife Refuge, designated by suitable posting by the officer in charge of the refuge, lying and being west and south of the following-described line:

Beginning at the point on the north boundary of the refuge common to sections 3 and 4, T. 47 N., R. 4 E.; thence south between sections 3 and 4, 9 and 10, 15 and 16, 21 and 22, 27 and 28, 33 and 34, to the intersection of the dike near the center of the said sections 33 and 34; thence southeast along the said dike in section 34 to the point common to sections 34 and 35; thence south between sections 34 and 35 to the point common to the said sections 34 and 35, T. 47 N., R. 4 E., and sections 2 and 3, T. 46 N., R. 4 E.; thence south, east, and south between sections 2 and 3, 2 and 10, 10 and 11, and 14 and 15, T. 46 N., R. 4 E., Mount Diablo Meridian, to the south boundary line of the refuge.

OSCAR L. CHAPMAN,  
Assistant Secretary of the Interior.

AUGUST 17, 1943.

[F. R. Doc. 43-13773; Filed, August 24, 1943;  
9:30 a. m.]

#### PART 22—MOUNTAIN REGION NATIONAL WILDLIFE REFUGES

##### NATIONAL ELK REFUGE, WYOMING

Under authority of section 84 of the Act of March 4, 1909, as amended by the Act of April 15, 1924, 43 Stat. 98, and in extension of § 12.9 of the Regulations for the Administration of National Wildlife Refuges under the Jurisdiction of the Fish and Wildlife Service, dated December 19, 1940 (5 F.R. 5284), the following is hereby ordered:

§ 22.271a. *National Elk Refuge, Wyoming; hunting of elk.* Elk may be taken during the open season prescribed therefor by the State Game and Fish Commission of Wyoming during the calendar year 1943 on certain lands, hereinafter described, of the United States within the National Elk Refuge, Wyoming, in accordance with the provisions of the Regulations for the Administration of National Wildlife Refuges under the Jurisdiction of the Fish and Wildlife Service, dated December 19, 1940 (5 F.R. 5284), and subject to the following special provisions, conditions, restrictions, and requirements:

(a) *Area open to hunting.* The following-described lands of the United States within the National Elk Refuge shall be open to the hunting of elk:

That part of the refuge east of the refuge fence line running parallel to the Jackson-Moran highway, and north of the township line between Townships 41 and 42 North, the natural boundary of which shall be regarded as Flat Creek east of its junction with the canal, or ditch, in the NE¼ of section 1, T. 41 N., R. 116 W., in its east and west course through the refuge, to its intersection with the east line of section 4, T. 41 N., R. 115 W., sixth principal meridian, Wyoming.

(b) *Compliance with State laws and regulations.* Any person who hunts on

the refuge shall be in possession of a valid hunting license issued by the State of Wyoming authorizing him to hunt elk and a permit, if required. Said license and permit shall serve as a Federal permit for hunting elk on the refuge and must be carried on the person of the licensee while so hunting. The license and permit must be exhibited upon the request of any representative of the Wyoming Game and Fish Commission authorized to enforce the State game laws or of any representative of the Department of the Interior. The licensee must comply in every respect with the State laws and regulations governing the hunting of elk and upon request of any of the aforesaid representatives must exhibit for inspection all game killed by him or in his possession.

(c) *Disorderly conduct; intoxication.* No person who is intoxicated will be permitted to enter or remain upon the refuge for the purpose of hunting hereunder, and any person who indulges in any disorderly conduct on the refuge will be removed therefrom by the officer in charge and dealt with as prescribed by law.

(d) *Entry upon refuge.* Persons entering or crossing the refuge for the purpose of hunting, as permitted by the regulations in this section, shall use such routes of travel as may be designated by suitable posting by the officer in charge and shall not otherwise enter upon the refuge.

(e) *Forfeiture of privileges.* Failure of any person hunting on the refuge to comply with any of the provisions, conditions, restrictions, or requirements of the regulations in this section or the violation by him of any of the provisions of State or Federal laws or regulations applicable to hunting on the refuge not only will render such person liable to prosecution under the law but also will be sufficient cause for removing him from the refuge and for refusing him further hunting privileges on the refuge.

(f) *State cooperation in management of the herd and the shooting area.* The provisions of the regulations in this section shall be incorporated in and deemed to be a part of any cooperative agreement between the Director of the Fish and Wildlife Service and the Game and Fish Commission of Wyoming for the regulation, management, and operation of the shooting area established hereunder, the details of which shall be mutually agreed upon between said Director and Commission. The Director also may take such additional measures, in cooperation with said Commission or otherwise, as may be necessary to effect proper control of the animals wintering on the refuge and to maintain their numbers within the carrying capacity of the project.

OSCAR L. CHAPMAN,  
Assistant Secretary of the Interior.  
AUGUST 17, 1943.

[F. R. Doc. 43-13772; Filed, August 24, 1943;  
9:29 a. m.]

#### PART 25—SOUTHERN REGION NATIONAL WILDLIFE REFUGES

##### WHITE RIVER NATIONAL WILDLIFE REFUGE, ARKANSAS

Under authority of section 10 of the Migratory Bird Conservation Act of February 18, 1929 (45 Stat. 1222; 16 U.S.C. 7151), as amended, and in extension of § 12.3 of the Regulations for the Administration of National Wildlife Refuges under the Jurisdiction of the Fish and Wildlife Service, dated December 19, 1940 (5 F.R. 5284), the following is hereby ordered:

§ 25.966. *White River National Wildlife Refuge, Arkansas; noncommercial fishing.* Noncommercial fishing is permitted in all the waters of the White River National Wildlife Refuge, Arkansas, from May 16 to October 31, inclusive, of each year, in accordance with the provisions of the Regulations for the Administration of National Wildlife Refuges under the Jurisdiction of the Fish and Wildlife Service, dated December 19, 1940 (5 F.R. 5284), and subject to the following conditions, restrictions, and requirements:

(a) *State fishing laws.* Any person who fishes within the refuge must comply with the applicable fishing laws and regulations of the State of Arkansas. Fishing under this regulation shall be as defined by State law, except that the use of snag lines, picnic seines, and other similar contrivances is prohibited. Trot or set lines, under the direct supervision of the operator, may be used to take fish for individual, family, or picnic use but not for commercial purposes.

(b) *Fishing licenses and permits.* Any person who fishes within the refuge shall be in possession of a valid fishing license issued by the Arkansas Game and Fish Commission, if such license is required. This license shall serve as a Federal permit for fishing in the waters of the refuge and must be carried on the person of the licensee while so fishing. The license must be exhibited upon the request of any representative of the Arkansas Game and Fish Commission or of the Fish and Wildlife Service.

(c) *Routes of travel.* Persons entering the refuge for the purpose of fishing shall follow such routes of travel as may be designated from time to time by suitable posting by the officer in charge of the refuge.

(d) *Use of boats.* The use of boats, including motorboats, for the purpose of fishing in accordance with this regulation is permitted.

(e) *Camp sites and fires.* Camping on the refuge will be permitted at camp sites designated by the officer in charge, and the lighting of fires on any area of the refuge other than on such designated camp sites is prohibited.

(f) *Temporary restrictions.* During periods of waterfowl concentrations on the refuge, fishing will not be permitted in such areas of the refuge as, in the judgment of the officer in charge, should be closed to fishing in order to provide adequate protection for such waterfowl

concentrations and are posted suitably by such officer.

§ 25.966a *White River National Wildlife Refuge, Arkansas; commercial fishing.* Commercial fishing is permitted in all the waters of the White River National Wildlife Refuge, Arkansas, in accordance with the provisions of the Regulations for the Administration of National Wildlife Refuges under the Jurisdiction of the Fish and Wildlife Service, dated December 19, 1940 (5 F.R. 5284), and subject to the following conditions, restrictions, and requirements:

(a) *Period of fishing.* Commercial fishing during the migratory-waterfowl hunting season is prohibited, except that the refuge manager may issue permits allowing commercial fishing during the migratory-waterfowl hunting season in sections of the refuge of 5,000 acres or more in area whenever such sections are inundated by flood waters to a depth of 5 feet or more; provided such fishing shall not interfere with or cause disturbance to waterfowl and wildlife concentrations in such sections.

(b) *State fishing laws.* Any person who fishes commercially within the refuge must comply with the applicable fishing laws and regulations of the State of Arkansas, except that the use of heart and lead nets is not permitted during the period from February 1 to April 30, inclusive. Seining, including picnic seining, is not permitted at any time, and the Director of the Fish and Wildlife Service may further restrict the type of gear that may be used for commercial fishing.

(c) *Fishing licenses and permits.* Any person who fishes commercially within the refuge shall be in possession of a valid commercial fishing license issued by the Arkansas Game and Fish Commission, if such license is required, and a permit issued by the officer in charge of the refuge. The permit shall specify the water or waters in which the permittee may fish and the period or periods during which such fishing may be performed. The officer in charge may limit the number of permits issued for any particular waters during such periods as, in his discretion, such action is necessary for the protection of the fishery resources of the refuge or to prevent disturbance to concentrations of waterfowl using such waters or areas. The license and permit must be carried on the person of the licensee while so fishing and must be exhibited upon the request of any representative of the Arkansas Game and Fish Commission or of the Fish and Wildlife Service.

(d) *Routes of travel.* Persons entering the refuge for the purpose of fishing shall follow such routes of travel as may be designated from time to time by suitable posting by the officer in charge of the refuge.

(e) *Use of boats.* The use of boats, including motorboats, for the purpose of fishing in accordance with this regulation is permitted.

(f) *Reports.* Each person authorized to fish commercially within the refuge shall submit semiannual reports to the officer in charge thereof correctly stating the kinds of fish and the quantity of each taken.

(g) *Camp sites and fires.* Camping on the refuge will be permitted at camp sites designated by the officer in charge, and the lighting of fires on any area of the refuge other than on such designated camp sites is prohibited.

(h) *Temporary restrictions.* During periods of waterfowl concentrations on the refuge, commercial or other types of fishing will not be permitted in such areas of the refuge as, in the judgment of the officer in charge, should be closed to fishing in order to provide adequate protection for such waterfowl concentrations and are posted suitably by such officer.

The order of the Acting Secretary of Agriculture, dated August 21, 1936 (1 F.R. 1384), permitting fishing within the White River Migratory Waterfowl Refuge, Arkansas, is hereby revoked.

OSCAR L. CHAPMAN,  
Assistant Secretary of the Interior.

AUGUST 17, 1943.

[F. R. Doc. 43-13774; Filed, August 24, 1943;  
9:31 a. m.]

## Notices

### DEPARTMENT OF THE INTERIOR.

#### Bituminous Coal Division.

[Docket No. B-375]

#### FLAT CREEK COAL COMPANY

#### ORDER RESTORING CODE MEMBERSHIP

An order having been issued in the above-entitled matter on August 12, 1943, revoking and cancelling the Code Membership of Flat Creek Coal Company, effective ten (10) days from the date thereof, and providing for payment to the United States of a tax in the amount of \$33.38 as a condition precedent to its restoration to membership in the Code; and

It appearing that said Code Member has paid to the Collector of Internal Revenue at Louisville, Kentucky, the said sum of \$33.38, and has made application for restoration of its Code Membership;

It is therefore ordered, That membership in the Code of Flat Creek Coal Company be, and it hereby is, restored as of the effective date of revocation thereof.

Dated: August 20, 1943.

[SEAL] DAN H. WHEELER,  
Director.

[F. R. Doc. 43-13738; Filed, August 23, 1943;  
3:31 p. m.]

[Docket No. C-6]

#### EMERALD COAL AND COKE CO.

#### ORDER CORRECTING DATE OF LETTER

In the matter of the application of Emerald Coal and Coke Company for approval of a contract for the sale of coal, pursuant to Rule 5 of section VI of the marketing rules and regulations.

In the report of the examiner submitted to me August 16, 1943, and approved by me August 17, 1943, reference

is made in the second from the last paragraph to a letter dated January 6, 1943. This was an inadvertent typographical error, the date of the letter being January 9, 1942.

The examiner who submitted the report has asked that this error be corrected.

It is so ordered.

Dated: August 23, 1943.

[SEAL] DAN H. WHEELER,  
Director.

[F. R. Doc. 43-13781; Filed, August 24, 1943;  
9:51 a. m.]

[Docket No. 1670-FD]

#### PITTSBURG AND MIDWAY COAL MINING CO. ORDER FOR REINSTATEMENT OF REGISTRATION OF DISTRIBUTORS

The Director having entered an order in the above-entitled matter dated July 27, 1943, suspending the registration of the above named defendant for a period of twenty (20) days effective five (5) days from the date of said order; and

The Pittsburg & Midway Coal Mining Company having duly filed with the Division an affidavit pursuant to the provisions of § 317.15 (formerly § 304.15) of the rules and regulations for the registration of distributors; and

It appearing to the Director that said affidavit complies with the provisions of said § 317.15 (formerly § 304.15) of the rules and regulations for the registration of distributors;

Now, therefore, it is ordered, That the registration of the Pittsburg & Midway Coal Mining Company as a distributor be and it hereby is reinstated, effective August 21, 1943.

Dated: August 23, 1943.

[SEAL] DAN H. WHEELER,  
Director.

[F. R. Doc. 43-13782; Filed, August 24, 1943;  
9:51 a. m.]

#### Office of the Secretary.

[Order 1859]

#### BITUMINOUS AND ANTHRACITE COAL MINES

#### REVOCATION OF ORDERS FOR TAKING POSSESSION

AUGUST 21, 1943.

On May 1, 1943, by virtue of the authority vested in him by the President of the United States, the Secretary of the Interior signed Orders Nos. 1809 and 1810 (8 F.R. 5767), taking possession of anthracite and bituminous coal mines in which he found from the available information that a strike or stoppage had occurred or was threatened.

Thereafter, on June 25, the Secretary signed Orders Nos. 1835 and 1836 (8 F.R. 8761), pursuant to which he took possession of a number of additional anthracite and bituminous coal mines. However, no notice of the taking was issued to the mining companies affected by these latter orders, no Operating Managers for the United States were appointed for such mines, and no action taken to im-

plement the orders; and it is unnecessary to take such action or to retain possession of such coal mines.

Accordingly, it is hereby ordered and directed, That Orders Nos. 1835 and 1836 dated June 25, 1943 (8 F.R. 8761), be and they are hereby revoked.

ABE FORTAS,  
Acting Secretary of the Interior.

[F. R. Doc. 43-13775; Filed, August 24, 1943,  
9:31 a. m.]

[Order T-1]

HENRY CLAY COAL MINING CO., ET AL  
ORDER TERMINATING GOVERNMENT POSSESSION AND CONTROL

AUGUST 19, 1943.

The Operating Managers for the United States for the coal mines of the mining companies listed in Appendix A have advised the Coal Mines Administrator that there has been no interruption in the operation of such mines since April 30, 1943, as a result of a strike or other labor disturbance, and have submitted factual evidence to that effect. Based on such evidence and advice, and after consideration of all the circumstances, I find that the possession and control by the Government of such mines are not necessary to insure the operation of such mines in the interest of the war effort, and that it is practicable to terminate the possession and control of such mines.

Accordingly, I order and direct, That possession and control by the Government of the mines of the mining companies listed in Appendix A, attached hereto and made a part hereof, including any and all real and personal property, franchises, rights, facilities, funds, and other assets used in connection with the operation of such mines and the distribution and sale of their products, be, and there are hereby, terminated and that there be conspicuously displayed at the mining properties copies of a poster to be supplied by the Coal Mines Administration and reading as follows:

NOTICE

Government possession and control of the coal mines of this mining company have been terminated by order of the Secretary of the Interior.

Provided, however, That nothing contained herein shall be deemed to preclude the Administrator from requiring the submission of information relating to operations during the period of Government possession and control as provided in section 40 of the Regulations for the Operation of Coal Mines under Government Control, as amended (8 F.R. 6655, 10712), for the purpose of ascertaining the existence and amount of any claims against the United States so that the administration of the provisions of Executive Order No. 9340 (8 F.R. 5695) may be concluded in an orderly manner: And provided, further, That except as otherwise ordered, the appointments of the

Operating Managers for the mines of the companies listed in Appendix A shall continue in effect.

ABE FORTAS,  
Acting Secretary of the Interior.

APPENDIX A

Name and address of mining company

The Henry Clay Coal Mining Company, Suite 1101, Colonial Building, Philadelphia, Pennsylvania.  
Middle River Coal Company, Fulton, Missouri.  
Smith & Stokes, Madisonville, Kentucky.  
Standard Coal Company, P. O. Box 200, Vincennes, Indiana.  
West Kentucky Coal Company, Inc., Earlington, Kentucky.

[F. R. Doc. 43-13763; Filed, August 24, 1943;  
9:34 a. m.]

[Order T-2]

HENRY CLAY COAL MINING CO., ET AL.  
ORDER TERMINATING APPOINTMENT OF  
OPERATING MANAGERS

AUGUST 19, 1943.

Orders have been issued terminating Government possession and control of the coal mines for which the persons listed in Appendix A have served as Operating Managers for the United States, and the mining companies have duly executed and delivered to the Administrator, Instrument No. 1, as provided in section 40 of the Regulations for the Operation of Coal Mines under Government Control, as amended (8 F.R. 6655, 10712).

Accordingly, I hereby order and direct, That the appointments of the Operating Managers for the United States listed in Appendix A, attached hereto and made a part hereof, be, and they are hereby, terminated.

ABE FORTAS,  
Acting Secretary of the Interior.

APPENDIX A

Name of Operating Manager and Mining Company

A. K. Althouse, The Henry Clay Coal Mining Company, Suite 1101, Colonial Building, Philadelphia, Pennsylvania.  
W. N. Jennings, Middle River Coal Company, Fulton, Missouri.  
Stanley T. Stokes, Smith & Stokes, Madisonville, Kentucky.  
Earl Oliphant, Standard Coal Company, P. O. Box 200, Vincennes, Indiana.

[F. R. Doc. 43-13764; Filed, August 24, 1943;  
9:34 a. m.]

[Order T-3]

HOOK COAL CO., ET AL.

ORDER TERMINATING GOVERNMENT POSSESSION AND CONTROL

AUGUST 19, 1943.

The Operating Managers for the United States for the coal mines of the mining companies listed in Appendix A have advised the Coal Mines Adminis-

trator that there has been no interruption in the operation of such mines since April 30, 1943, as a result of a strike or other labor disturbance, and have submitted factual evidence to that effect. Based on such evidence and advice, and after consideration of all the circumstances, I find that the possession and control by the Government of such mines are not necessary to insure the operation of such mines in the interest of the war effort, and that it is practicable to terminate the possession and control of such mines.

Accordingly, I order and direct, That possession and control by the Government of the mines of the mining companies listed in Appendix A, attached hereto and made a part hereof, including any and all real and personal property, franchises, rights, facilities, funds, and other assets used in connection with the operation of such mines and the distribution and sale of their products, be, and they are hereby, terminated and that there be conspicuously displayed at the mining properties copies of a poster to be supplied by the Coal Mines Administration and reading as follows:

NOTICE

Government possession and control of the coal mines of this mining company have been terminated by order of the Secretary of the Interior.

Provided, however, That nothing contained herein shall be deemed to preclude the Administrator from requiring the submission of information relating to operations during the period of Government possession and control as provided in section 40 of the Regulations for the Operation of Coal Mines under Government Control, as amended (8 F.R. 6655, 10712), for the purpose of ascertaining the existence and amount of any claims against the United States so that the administration of the provisions of Executive Order No. 9340 (8 F.R. 5695) may be concluded in an orderly manner: And provided further, That except as otherwise ordered, the appointments of the Operating Managers for the mines of the companies listed in Appendix A shall continue in effect.

ABE FORTAS,  
Acting Secretary of the Interior.

APPENDIX A

Name and Address of Mining Company

Hook Coal Company, 366 South Ninth Street, Coonstown, Ohio.  
Hume-Sinclair Coal Mining Company, 114 West 11th Street, Kansas City, Missouri.  
Huntville-Sinclair Mining Company, 114 West 11th Street, Kansas City, Missouri.  
Pine Hill Mining Company, Inc., Madisonville, Kentucky.  
The Seneca Coal and Coke Company, 114 West 11th Street, Kansas City, Missouri.  
Sentry Coal Mining Company, 114 West 11th Street, Kansas City, Missouri.  
Sooner Coal Mining Company, 114 West 11th Street, Kansas City, Missouri.  
Wright Coal Mining Company, Inc., Madisonville, Kentucky.

[F. R. Doc. 43-13765; Filed, August 24, 1943;  
9:34 a. m.]

[Order T-4]

B &amp; R COAL CO., ET AL.

## ORDER TERMINATING GOVERNMENT POSSESSION AND CONTROL

AUGUST 19, 1943.

The Operating Managers for the United States for the coal mines of the mining companies listed in Appendix A have advised the Coal Mines Administrator that the productive efficiency of each of those mines prevailing prior to the taking of possession by the Government has been restored, and have submitted factual evidence to that effect. Based on such evidence and advice, and after consideration of all the circumstances, I find that, in accordance with the provisions of the War Labor Disputes Act of June 25, 1943 (Pub. No. 89, 78th Cong., 1st Sess.), the possession and control by the Government of such mines should be terminated.

Accordingly, I order and direct, That possession and control by the Government of the mines of the mining companies listed in Appendix A, attached hereto and made a part hereof, including any and all real and personal property, franchises, rights, facilities, funds, and other assets used in connection with the operation of such mines and the distribution and sale of their products, be, and they are hereby, terminated and that there be conspicuously displayed at the mining properties copies of a poster to be supplied by the Coal Mines Administration and reading as follows:

## NOTICE

Government possession and control of the coal mines of this mining company have been terminated by order of the Secretary of the Interior.

Provided, however, That nothing contained herein shall be deemed to preclude the Administrator from requiring the submission of information relating to operations during the period of Government possession and control as provided in section 40 of the Regulations for the Operation of Coal Mines under Government Control, as amended (8 F.R. 6655, 10712), for the purpose of ascertaining the existence and amount of any claims against the United States so that the administration of the provisions of Executive Order No. 9340 (8 F.R. 5695) may be concluded in an orderly manner; And provided further, That except as otherwise ordered, the appointments of the Operating Managers for the mines of the companies listed in Appendix A shall continue in effect.

ABE FORTAS,

Acting Secretary of the Interior.

## APPENDIX A

## Name and Address of Mining Company

B &amp; R Coal Company, Renton, Washington.

Bird Coal Company, 1400 S. Penn Square, Philadelphia, Pa.

Dixport Coal Company, Charleston, West Virginia.

Kaiser Company, Inc., Iron and Steel Division, Oakland, California.

Katherine Coal Mining Company, 1616 Walnut Street, Philadelphia, Pa.

The Saxman Coal & Coke Company, Commonwealth Bldg., Philadelphia, Pa.  
Wasson Coal Company, Harrisburg, Illinois.

[F. R. Doc. 43-13766; Filed, August 24, 1943; 9:34 a. m.]

[Order T-5]

COLORADO AND UTAH COAL CO., ET AL.

## ORDER TERMINATING GOVERNMENT POSSESSION AND CONTROL

AUGUST 21, 1943.

The Operating Managers for the United States for the coal mines of the mining companies listed in Appendix A have advised the Coal Mines Administrator that the productive efficiency of each of those mines prevailing prior to the taking of possession by the Government has been restored, and have submitted factual evidence to that effect. Based on such evidence and advice, and after consideration of all the circumstances, I find that, in accordance with the provisions of the War Labor Disputes Act of June 25, 1943 (Pub. No. 89, 78th Cong., 1st Sess.), the possession and control by the Government of such mines should be terminated.

Accordingly, I order and direct, That possession and control by the Government of the mines of the mining companies listed in Appendix A, attached hereto and made a part hereof, including any and all real and personal property, franchises, rights, facilities, funds, and other assets used in connection with the operation of such mines and the distribution and sale of their products, be, and they are hereby, terminated and that there be conspicuously displayed at the mining properties copies of a poster to be supplied by the Coal Mines Administration and reading as follows:

## NOTICE

Government possession and control of the coal mines of this mining company have been terminated by order of the Secretary of the Interior.

Provided, however, That nothing contained herein shall be deemed to preclude the Administrator from requiring the submission of information relating to operations during the period of Government possession and control as provided in section 40 of the Regulations for the Operation of Coal Mines under Government Control, as amended (8 F.R. 6655, 10712), for the purpose of ascertaining the existence and amount of any claims against the United States so that the administration of the provisions of Executive Order No. 9340 (8 F.R. 5695) may be concluded in an orderly manner; And provided further, That except as otherwise ordered, the appointments of the Operating Managers for the mines of the companies listed in Appendix A shall continue in effect.

ABE FORTAS,

Acting Secretary of the Interior.

## APPENDIX A

## Name and Address of Mining Company

The Colorado &amp; Utah Coal Company, Denver, Colorado.

Island Creek Coal Company, Huntington, W. Va.

Johnstown Coal &amp; Coke Company, Johnstown, Pa.

Marianna Smokeless Coal Company, Huntington, W. Va.

Rond Creek Pocahontas Company, Huntington, W. Va.

Red Jacket Coal Corporation, 115 East Rich St., Columbus 15, Ohio.

The Roundup Coal Mining Company, Roundup, Montana.

Windsor Coal Company, McAlester, Oklahoma.

The United Electric Coal Companies, 307 North Michigan Ave., Chicago, Illinois.

[F. R. Doc. 43-13767; Filed, August 24, 1943; 9:35 a. m.]

[Order T-6]

PITTSBURGH &amp; MIDWAY COAL MINING CO., ET AL.

## ORDER TERMINATING GOVERNMENT POSSESSION AND CONTROL

AUGUST 21, 1943.

The Operating Managers for the United States for the coal mines of the mining companies listed in Appendix A have advised the Coal Mines Administrator that the productive efficiency of each of those mines prevailing prior to the taking of possession by the Government has been restored, and have submitted factual evidence to that effect. Based on such evidence and advice, and after consideration of all the circumstances, I find that, in accordance with the provisions of the War Labor Disputes Act of June 25, 1943 (Pub. No. 89, 78th Cong., 1st Sess.), the possession and control by the Government of such mines should be terminated.

Accordingly, I order and direct, That possession and control by the Government of the mines of the mining companies listed in Appendix A, attached hereto and made a part hereof, including any and all real and personal property, franchises, rights, facilities, funds, and other assets used in connection with the operation of such mines and the distribution and sale of their products, be, and they are hereby, terminated and that there be conspicuously displayed at the mining properties copies of a poster to be supplied by the Coal Mines Administration and reading as follows:

## NOTICE

Government possession and control of the coal mines of this mining company have been terminated by order of the Secretary of the Interior.

Provided, however, That nothing contained herein shall be deemed to preclude the Administrator from requiring the submission of information relating to operations during the period of Government possession and control as provided in section 40 of the Regulations for the Operation of Coal Mines under Government Control, as amended (8 F.R. 6655, 10712), for the purpose of ascertaining the existence and amount of any claims against the United States so that the administration of the provisions of Executive Order No. 9340 (8 F.R. 5695) may be concluded in an orderly manner; And



provided further, That except as otherwise ordered, the appointments of the Operating Managers for the mines of the companies listed in Appendix A shall continue in effect.

ABE FORTAS,  
Acting Secretary of the Interior.

## APPENDIX A

## Name and Address of Mining Company

Pittsburg & Midway Coal Mining Company,  
Dwight Building, Kansas City, Missouri.  
New Long Ridge Coal Company, Inc., Pine-  
ville, Kentucky.  
Consumers Mining Company, Harmarville,  
Pennsylvania.  
Calumet Fuel Company, Salt Lake City,  
Utah.  
Carter Coal Company, Inc., 630 Fifth Ave-  
nue, New York, N. Y.  
Hatfield Campbell Creek Coal Company,  
Union Trust Building, Cincinnati, Ohio.  
Mt. Olive & Staunton Coal Company, 806  
Laclede Gas Bldg., St. Louis, Missouri.

[F. R. Doc. 43-13768; Filed, August 24, 1943;  
9:35 a. m.]

[Order T-7]

ALABAMA FUEL &amp; IRON CO., ET AL.

ORDER TERMINATING GOVERNMENT POSSES-  
SION AND CONTROL

AUGUST 21, 1943.

The Operating Managers for the United States for the coal mines of the mining companies listed in Appendix A have advised the Coal Mines Administrator that there has been no interruption in the operation of such mines since April 30, 1943, as a result of a strike or other labor disturbance, and have submitted factual evidence to that effect. Based on such evidence and advice, and after consideration of all the circumstances, I find that the possession and control by the Government of such mines are not necessary to insure the operation of such mines in the interest of the "war effort," and that it is practicable to terminate the possession and control of such mines.

Accordingly, I order and direct, That possession and control by the Government of the mines of the mining companies listed in Appendix A, attached hereto and made a part hereof, including any and all real and personal property, franchises, rights, facilities, funds, and other assets used in connection with the operation of such mines and the distribution and sale of their products, be, and they are hereby, terminated and that there be conspicuously displayed at the mining properties copies of a poster to be supplied by the Coal Mines Administration and reading as follows:

## NOTICE

Government possession and control of the coal mines of this mining company have been terminated by order of the Secretary of the Interior.

Provided, however, That nothing contained herein shall be deemed to preclude the Administrator from requiring the submission of information relating to operations during the period of Government possession and control

as provided in section 40 of the Regulations for the Operation of Coal Mines under Government Control, as amended (8 F.R. 6655, 10712), for the purpose of ascertaining the existence and amount of any claims against the United States so that the administration of the provisions of Executive Order No. 9340 (8 F.R. 5695) may be concluded in an orderly manner; And provided further, That except as otherwise ordered, the appointments of the Operating Managers for the mines of the companies listed in Appendix A shall continue in effect.

ABE FORTAS,  
Acting Secretary of the Interior.

## APPENDIX A

## Name and Address of Mining Company

Alabama Fuel & Iron Company, Birmingham, Alabama.  
Carr Coal Company, Caldwell and Graham Building, Wilkesburg, Pennsylvania.  
The Deer Field Coal Company, Caldwell & Graham Building, Wilkesburg, Pennsylvania.  
Eberhart Coal Company, North Industry, Ohio.  
Elm Creek Coal Company, Fella, Iowa.  
John M. Hirst and Company, 932 Leader Building, Cleveland 14, Ohio.  
Knott Coal Corporation, Inc., P. O. Box 356, Lexington, Kentucky.  
Nash Coal Company, Raven, Virginia.  
Stony River Coal Company, Thomas, West Virginia.  
Chloe Creek Coal Company, Pikeville, Kentucky.  
Gauraux Brothers Company, Canton, Ohio.  
Jones Elkhorn Coal Corp., Pikeville, Kentucky.

[F. R. Doc. 43-13769; Filed, August 24, 1943;  
9:35 a. m.]

[Order T-8]

ALLEGHENY PITTSBURGH COAL CO., ET AL.

ORDER TERMINATING GOVERNMENT POSSES-  
SION AND CONTROL

AUGUST 21, 1943.

The Operating Managers for the United States for the coal mines of the mining companies listed in Appendix A have advised the Coal Mines Administrator that the productive efficiency of each of those mines prevailing prior to the taking of possession by the Government has been restored, and have submitted factual evidence to that effect. Based on such evidence and advice, and after consideration of all the circumstances, I find that, in accordance with the provisions of the War Labor Disputes Act of June 25, 1943 (Pub. No. 89, 78th Cong. 1st Sess.), the possession and control by the Government of such mines should be terminated.

Accordingly, I order and direct, That possession and control by the Government of the mines of the mining companies listed in Appendix A, attached hereto and made a part hereof, including any and all real and personal property, franchises, rights, facilities, funds, and other assets used in connection with the operation of such mines and the distribution and sale of their products, be, and they are hereby, terminated and that there be conspicuously displayed at the

mining properties copies of a poster to be supplied by the Coal Mines Administration and reading as follows:

## NOTICE

Government possession and control of the coal mines of this mining company have been terminated by order of the Secretary of the Interior.

Provided, however, That nothing contained herein shall be deemed to preclude the Administrator from requiring the submission of information relating to operations during the period of Government possession and control as provided in section 40 of the Regulations for the Operation of Coal Mines under Government Control, as amended (8 F.R. 6655, 10712), for the purpose of ascertaining the existence and amount of any claims against the United States so that the administration of the provisions of Executive Order No. 9340 (8 F.R. 5695) may be concluded in an orderly manner; And provided further, That except as otherwise ordered, the appointments of the Operating Managers for the mines of the companies listed in Appendix A shall continue in effect.

ABE FORTAS,  
Acting Secretary of the Interior.

## APPENDIX A

## Name and Address of Mining Company

Allegheny Pittsburgh Coal Company, 14 Wood Street, Pittsburgh, Pa.  
The Carbon Fuel Company, Charleston, W. Va.  
Greensburg-Conneville Coal and Coke Company, Union Trust Building, Pittsburgh, Pa.  
Crawford Mining Company, Crawford, Tennessee.  
Union Collieries Company, Oakmont, Pa.  
Pennalt Coal Company, 1000 Widener Building, Philadelphia, Pa.  
Rail & River Coal Company, 1150-54 Leader Building, Cleveland, Ohio.  
The Logan Clay Products Company, Logan, Ohio.  
The Colorado Fuel and Iron Corporation, Denver, Colorado.  
Industrial Collieries Corporation, Bethlehem, Pa.  
Beatty Coal Company, Latrobe, Pa.  
Windsor Power House Coal Company, 14 Wood Street, Pittsburgh, Pa.  
Raleigh Coal and Coke Company, Raleigh, W. Va.  
The Lorado Coal Mining Company, 33 North High St., Columbus, Ohio.  
Beane County Coal Corporation, 1523 Walnut St., Philadelphia, Pa.  
Hanna Coal Company, Cleveland, Ohio.  
Jefferson Coal Company, Cleveland, Ohio.

[F. R. Doc. 43-13770; Filed, August 24, 1943;  
9:35 a. m.]

[Order T-9]

NASH COAL CO., ET AL.

ORDER TERMINATING APPOINTMENT OF  
OPERATING MANAGERS

AUGUST 21, 1943.

Orders have been issued terminating Government possession and control of the coal mines for which the persons listed in Appendix A have served as Operating Managers for the United States, and the mining companies have duly executed and delivered to the Ad-

ministrator, Instrument No. 1, as provided in section 40 of the Regulations for the Operation of Coal Mines under Government Control, as amended (8 F.R. 6655, 10712).

Accordingly, I hereby order and direct, That the appointments of the Operating Managers for the United States listed in Appendix A, attached hereto and made a part hereof, be, and they are hereby, terminated.

ABE FORTAS,  
*Acting Secretary of the Interior.*

#### APPENDIX A

##### *Name of Operating Manager and Mining Company*

Otis B. Nash, Nash Coal Company, Raven, Virginia.

O. W. Thompson, Chloe Elkhorn Coal Company, Pikeville, Kentucky.

Hayes Jones, Jones Elkhorn Coal Company, Pikeville, Kentucky.

[F. R. Doc. 43-13771; Filed, August 24, 1943; 9:35 a. m.]

#### EMPLOYEES ENGAGED IN FOREST AND RANGE FIRE FIGHTING ACTIVITIES

##### WAGE FIXING PROCEDURES

For the purpose of determining the prevailing rate of wages to be paid certain classes of field employees of the Department of the Interior and to effectuate wage stabilization among the various bureaus and offices of the Department engaged in forest and range fire fighting activities, the following procedure is established:

#### I

##### *Wage Board*

A Wage Board, composed of three representatives of the Department, is hereby established to determine prevailing wages for similar work in the locality of their employment for field employees of the Department of the Interior who are engaged in forest and range fire fighting (including all related activities), and who are not allocated to grade under the Classification Act of 1923, as amended, and to make recommendations with respect to such wages to the Secretary of the Interior. Jurisdiction over Grazing Service employees engaged in such activities is hereby transferred from the Grazing Service Wage Board to the Wage Board created herein.

#### II

##### *Procedure To Be Followed by Board*

In determining the prevailing wages for the labor classifications being considered by the Board, the Board shall procure evidence of the wages and compensation being paid to and perquisites received by those employed in these labor classifications by local County, State, and Federal fire protection organizations, private industrial employees, and others employing labor in the locality, whether pursuant to union agreements or otherwise. Hearings for the purpose of adducing evidence of wages paid in the locality may be held when, in the judgment of the Board, this is required in order to determine the prevailing rates of wages.

Based on the evidence procured as to prevailing wages and the perquisites of employment in the locality in the classifications under consideration by the Wage Board, the Board shall make its recommendations to the Secretary of the Interior as to the rates of wages to be paid to the Government employees of the classes above specified. The wages recommended, upon approval by the Secretary, shall become effective upon the date approved, unless otherwise directed by the Secretary of the Interior: *Provided*, That the Secretary of the Interior may direct the Board to reconsider any recommendation in whole or in part when, in his judgment, the recommended wage does not accord with the evidence procured as to the prevailing wage in the locality or when there is insufficient evidence to support the wage recommended.

#### III

##### *Effective Period of Approved Wage Determinations*

Any wage rates fixed in the manner above provided shall remain in effect until that rate has been supplanted by a different rate determined by the Wage Board with the approval of the Secretary of the Interior. Unless directed by the Secretary of the Interior to do so at other intervals, the Wage Board shall review wage rates at six-month intervals, beginning with the effective date of the first schedule of wages made in accordance with the procedure herein provided: *Provided*, That the Secretary of the Interior may direct a review at any other time when, in his judgment, this is desirable.

Unless otherwise ordered, the Board shall be composed of these departmental representatives:

Duncan Campbell, who shall act as Chairman of the Board, and Guy W. Numbers and John F. Shanklin, Members of the Board.

ABE FORTAS,

*Acting Secretary of the Interior.*

AUGUST 16, 1943.

[F. R. Doc. 43-13776; Filed, August 24, 1943; 9:31 a. m.]

#### DEPARTMENT OF LABOR.

##### Office of the Secretary.

[Finding No. WLD-3]

LETTS-FLETCHER COMPANY AND WESTERN GROCER MILLS COMPANY, ET AL.

##### FINDING AS TO CONTRACTS IN PROSECUTION OF WAR EFFORT

In the matter of Letts-Fletcher Company and Western Grocer Mills Company, Marshalltown, Iowa, Western Grocer Company, Dubuque, Iowa, Western Grocer Company and Hoxie Fruit Company, Mason City, Iowa, Western Grocer Company, Oskaloosa, Iowa, Western Grocer Company, Cedar Rapids, Iowa, C. C. Taft Company, Grocers' Wholesale Corp., Inc., Hoxie Fruit Company, Great Atlantic and Pacific Tea Company, D. L. Skinner Company, Winston and Nowell,

Ames Wholesale Grocery Company, Western Grocery Company, Central Wholesale Grocery Company, Charles Hewitt & Sons Company, O. B. West Company, Gordon's Wholesale, Dye Produce Company, H. B. Leiserowitz Company, Tone Brothers, Markman Produce Company, Myers-Cox Company, Niles & Jones, and Lumbermen's Reserve Supply Company, Des Moines, Iowa, Western Grocer Company, Carroll, Iowa, Hoxie Fruit Company, Waterloo, Iowa, and Hoxie Fruit Company, Iowa Falls, Iowa.

Whereas Letts-Fletcher Company, Marshalltown, Iowa, C. C. Taft Company, Grocers' Wholesale Coop., Inc., D. L. Skinner Company, Winston and Nowell, Ames Wholesale Grocery Company, Western Grocery Company, Central Wholesale Grocery Company, and Charles Hewitt & Sons Company, all of Des Moines, Iowa, are engaged in the wholesale grocery business; and

Whereas the Hoxie Fruit Company and the O. B. West Company, both of Des Moines, Iowa, and the Hoxie Fruit Company, Mason City, Iowa, the Hoxie Fruit Company, Waterloo, Iowa, and the Hoxie Fruit Company, Iowa Falls, Iowa, all owned and operated by the Hoxie Fruit Company, Des Moines, Iowa, are engaged in the wholesale fruit and vegetable business; and

Whereas the Great Atlantic and Pacific Tea Company, Des Moines, Iowa, is a retail food establishment engaging in the warehousing and distribution of food products; and

Whereas H. B. Leiserowitz Company and the Dye Produce Company, both of Des Moines, Iowa, are engaged in the wholesale fruit, vegetable and grocery business; and

Whereas Gordon's Wholesale, Des Moines, Iowa, is engaged in the wholesale selling of cigars, cigarettes, tobacco, candy, and grocery sundries; and

Whereas Tone Brothers, Des Moines, Iowa, is engaged in the wholesale selling of coffee, tea, spices, and grocery sundries; and

Whereas Markman Produce Company, Des Moines, Iowa, is engaged in the wholesale selling of potatoes and cabbage; and

Whereas Myers-Cox Company, Des Moines, Iowa, is engaged in the wholesale selling of cigars, cigarettes, and tobacco sundries; and

Whereas Niles & Jones, Des Moines, Iowa, is engaged in the wholesale selling of cigarettes, candy, tobacco and tobacco sundries; and

Whereas the Lumbermen's Reserve Supply Company, Des Moines, Iowa, is engaged in a wholesale building supplies business; and

Whereas the Western Grocer Company, Carroll, Iowa, the Western Grocer Company, Dubuque, Iowa, the Western Grocer Company, Mason City, Iowa, the Western Grocer Company, Oskaloosa, Iowa, and the Western Grocer Company, Cedar Rapids, Iowa, all owned and operated by the Western Grocer Company, Marshalltown, Iowa, are engaged in the wholesale warehousing of groceries;

Now, therefore, pursuant to section 2 (b) (3) of the War Labor Disputes Act

(Pub. No. 89, 78th Cong., 1st sess.) and the Directive of the President dated August 10, 1943, published in the FEDERAL REGISTER August 14, 1943 (8 F.R. 11281);

I find that the storing, warehousing, or transportation of fruits, vegetables, groceries, or grocery sundries by Letts-Fletcher Company and Western Grocer Mills Company, Marshalltown, Iowa, Western Grocer Company, Dubuque, Iowa, Western Grocer Company and Hoxie Fruit Company, Mason City, Iowa, Western Grocer Company, Oskaloosa, Iowa, Western Grocer Company, Cedar Rapids, Iowa, C. C. Taft Company Grocers' Wholesale Coop., Inc., Hoxie Fruit Company, Great Atlantic and Pacific Tea Company, D. L. Skinner Company, Winston and Nowell, Ames Wholesale Grocery Company, Western Grocery Company, Central Wholesale Grocery Company, Charles Hewitt & Sons Company, O. B. West Company, Gordon's Wholesale, Dye Produce Company, H. B. Leiserowitz Company, Tone Brothers and Markman Produce Company, all of Des Moines, Iowa, the Western Grocer Company, Carroll, Iowa, Hoxie Fruit Company, Waterloo, Iowa, and Hoxie Fruit Company, Iowa Falls, Iowa, pursuant to any contract, whether oral or written, is contracted for in the prosecution of the war within the meaning of section 2 (b) (3) of the War Labor Disputes Act;

I further find that the storing, warehousing, or transportation of cigars, cigarettes, tobacco sundries, and candy, by the Myers-Cox Company and Niles & Jones, both of Des Moines, Iowa, pursuant to any contract with manufacturers of tobacco products for the servicing of post exchanges in Army and State Guard camps in the State of Iowa is contracted for in the prosecution of the war within the meaning of Section 2 (b) (3) of the War Labor Disputes Act;

I further find that the storing, warehousing or transportation of building materials for wholesale distribution by the Lumbermen's Reserve Supply Company, Des Moines, Iowa, pursuant to any contract, whether oral or written, is contracted for in the prosecution of the war within the meaning of section 2 (b) (3) of the War Labor Disputes Act.

Signed at Washington, D. C., this 24th day of August 1943.

FRANCES PERKINS,  
Secretary of Labor.

[F. R. Doc. 43-13819; Filed, August 24, 1943;  
11:54 a. m.]

#### CIVIL AERONAUTICS BOARD.

[Docket Nos. 13-401-B-1, 418, 527, 597, 598, 658, 692, 697, 881, 882, 908, 909]

NORTHEAST AIRLINES, INC., ET AL.

#### NOTICE OF HEARING

In the matter of the applications of Northeast Airlines, Inc., Transcontinental & Western Air, Inc., Colonial Airlines, Inc., American Airlines, Inc., TWA-New England, Inc., Seaboard Airways,

Inc., Eastern Air Lines, Inc., and United Air Lines Transport Corporation for certificates and for amendments of certificates of public convenience and necessity under section 401, and for approval of control under section 408 of the Civil Aeronautics Act of 1938, as amended.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1001 of said Act, in the above-entitled proceeding that hearing is assigned for September 8, 1943, 10 a. m. (eastern war time) in the Hotel New Yorker, New York City, before Examiner Thomas L. Wrenn.

Dated Washington, D. C., August 23, 1943.

By the Civil Aeronautics Board.

[SEAL]

FRED A. TOOMBS,  
Secretary.

[F. R. Doc. 43-13798; Filed, August 24, 1943;  
11:00 a. m.]

[Docket No. 779]

PAN AMERICAN-GRACE AIRWAYS, INC.

#### NOTICE OF HEARING

In the matter of the alteration, amendment, and modification of the certificate of public convenience and necessity of Pan American-Grace Airways, Inc., under section 401 (h) of the Civil Aeronautics Act of 1938, as amended, to provide for a route terminal in the United States.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1001 of said Act, in the above-entitled proceeding, that hearing is assigned for September 15, 1943, 10 a. m. (eastern war time) in the Hotel New Yorker, New York City, before Examiners Francis W. Brown and Vincent L. Gingerich.

Dated Washington, D. C., August 23, 1943.

By the Civil Aeronautics Board.

[SEAL]

FRED A. TOOMBS,  
Secretary.

[F. R. Doc. 43-13799; Filed, August 24, 1943;  
11:00 a. m.]

#### FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6536; File No. B1-TC-330]

RADIO CORPORATION OF AMERICA AND AMERICAN BROADCASTING SYSTEM, INC.

#### NOTICE OF HEARING REGARDING TRANSFER

In re application of Radio Corporation of America, (Transferor), Docket No. 6536, and American Broadcasting System, Inc. (Transferee), File No. B1-TC-330, dated August 11, 1943, for consent to the transfer of control of Blue Network Company, Inc., licensee of Stations WJZ, New York, N. Y., WENR, Chicago, Illinois, and KGO, San Francisco, California and 48 relay broadcast stations,

Class of service: Broadcast. Class of stations: Broadcast.

You are hereby notified that the Commission has examined the above-described application and has designated the matter for hearing for the following reasons:

1. To determine the legal, technical, financial and other qualifications of the proposed transferee to control the licensee of standard broadcast stations KGO, WENR, WJZ and 48 relay broadcast stations.
2. To determine the source or sources of all assets of the transferee in the purchase of the stock of the licensee corporation.
3. To determine the original, depreciated and replacement values with detailed supporting data for such values of all technical and other equipment used or useful in connection with the operation of the stations listed in Issue 1.
4. To determine the amounts proposed to be paid for each of the stations listed in Issue 1.
5. To obtain full information with respect to the proposed acquisition of control, including all understandings, contracts or arrangements relating to the same.
6. To determine what plans, if any, transferee has for the issuance of the remaining 100,000 shares of treasury stock.
7. To determine the manner in which the licensee would be operated under the control of the proposed transferee, including the personnel to be employed.
8. To obtain full information with respect to any changes in operation of the licensee.
9. To obtain full information with respect to any changes in the licensee corporation, its officers, directors, employees or otherwise with respect to the licensee.
10. To obtain the information required by Part II of Commission Form No. 315.
11. To determine whether in view of the facts shown under the foregoing issues a grant of the application would be in the public interest.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicants on the basis of a record duly and properly made by means of a formal hearing.

The applicants are hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of section 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicants who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The hearing on the above-entitled matter will be held before the Commission en banc in Washington, D. C., on September 10, 1943 at 10:30 o'clock a. m.

The applicants' addresses are as follows: Radio Corporation of America, RCA Frequency Bureau, 30 Rockefeller Plaza, New York, N. Y.; American Broadcasting System, Inc., Room 305, 607 5th Avenue, New York, N. Y.

Dated at Washington, D. C., August 20, 1943.

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 43-13800; Filed, August 24, 1943;  
11:19 a. m.]

## FEDERAL TRADE COMMISSION.

[Docket No. 5033]

COLUMBIA RIVER PACKERS' ASSOCIATION,  
INC.

## COMPLAINT AND NOTICE

*Complaint*

The Federal Trade Commission, having reason to believe that the party respondent named in the caption hereof and hereinafter more particularly designated and described, since June 19, 1936, has violated and is now violating the provisions of subsection (c) of section 2 of the Clayton Act (U.S.C. Title 15, sec. 13) as amended by the Robinson-Patman Act, approved June 19, 1936, hereby issues its complaint, stating its charges with respect thereto as follows:

PAR. 1. Respondent, Columbia River Packers Association, Inc., is a corporation organized and existing under the laws of the State of Oregon, with its principal office and place of business located at Astoria, Oregon.

PAR. 2. The respondent, Columbia River Packers Association, Inc., is now engaged and for many years prior hereto has engaged in the business of packing and canning salmon, shad, shad roe, tuna, tuna flakes and kippered sturgeon (all of which are hereinafter called sea food products) and in the marketing, selling and distribution of such sea food products in its own name and for its own account for resale.

The respondent sells and distributes its sea food products through two separate and distinct methods. First, through legitimate intermediaries who act as its agents in negotiating the sale of its sea food products and for which services such intermediaries customarily are paid, directly or indirectly, as commissions or brokerage two and one-half percent of the net purchase price of the sea food products sold. Second, through the sale of its sea food products directly to buyers who are paid, directly or indirectly on their own purchases of sea food products from the respondent commission or brokerage fees of five percent of the net purchase price of the sea food products so purchased.

The respondent, to distinguish its sea food products from the sea food products sold by competitors and to facilitate sales, utilizes registered and unregistered trade marks and brands for various sea food products it sells, which brands are generally known as packers' or sellers' brands. Representative of respondent's brands are "Bumble Bee", "Kinney's Palm", "Clover Leaf", "White Star", "Holly", "Fishermen's", "Pine Burr", "Magnolia", "Blue Bird", "Violet", "Swiftwater", "Clifton", "Tuxedo", "Sovereign", "Rosebud", "Delmonico", "Glad-iolus", "Golden Age", "Reliance", "Pride of Columbia", "Beacon", "Portrait", "Sunset", "Olympic", "Figaro", "Bon Bon", "Esquimaux", "Recruit", "Argonaut", "Harpoon", "Commerce", "West Coast" and "Stonewall Jackson". The respondent also sells its sea food products unlabeled or unbranded, and also under the labels or brands of its buy-

ers, which brands or labels are generally known to the trade as private or buyers' brands. Some of such buyers who incorrectly designate themselves as brokers also utilize registered and unregistered labels and brands, which labels and brands are utilized in selling such respective buyers' merchandise. Such buyers are primarily engaged in the purchase and sale of sea food products in their own name and for their own account.

PAR. 3. The respondent in the course and conduct of its said business, since June 19, 1936, has sold and distributed a substantial portion of its sea food products directly to buyers located in states other than the state in which the respondent is established, and as a result of said sales and the respondent's instructions, such sea food products are shipped and transported across state lines to such buyers who are located in various states of the United States.

PAR. 4. The respondent, since June 19, 1936, in connection with the interstate sale and distribution of sea food products in its own name and for its own account for resale, has sold such sea food products to numerous buyers located in the various states of the United States other than the state where respondent is established, and has been and is now paying or granting or has paid or granted, directly or indirectly, commissions, brokerage or other compensation or allowances or discounts in lieu thereof to numerous buyers of said sea food products sold under its own labels, unlabeled and under buyers' labels.

A representative, but by no means complete, list of buyers who since June 19, 1936, have purchased sea food products unlabeled or under the seller-responder's labels or under such respective buyers' labels from the respondent for their own account for resale and who have received and accepted and who are now receiving and accepting from said seller-responder on their respective purchases of sea food products, directly or indirectly, commissions, brokerage fees or allowances and discounts in lieu of brokerage fees, are as follows:

Southgate Brokerage Co., Inc., Norfolk, Virginia;  
William H. Stanley, Inc., New York, New York;  
Max Rabinovitz, Boston, Massachusetts;  
Lincoln-McCallum Company, Minneapolis, Minnesota;  
Fischer Brokerage Company, St. Louis, Missouri;  
Paul Pankey & Company, Birmingham, Alabama;  
P. Duff & Sons, Inc., Pittsburgh, Pennsylvania;  
H. E. Runyon Company, Des Moines, Iowa;  
Elwood C. Boobar & Company, San Francisco, California;  
G. Y. Harry & Company, Portland, Oregon.

PAR. 5. The paying and granting by respondent, directly or indirectly, of commissions, brokerage or other compensation and allowances or discounts in lieu thereof to the buyers of said sea food products, on their own purchases which are resold unlabeled or under either the buyers' or sellers' labels, and the acts and practices of the respondent in promoting sales of sea food products by pay-

ing to buyers, directly or indirectly, commissions, brokerage or other compensation and allowances or discounts in lieu thereof, as set forth above, are in violation of subsection (c) of section 2 of the Clayton Act, as amended.

Wherefore, the premises considered, the Federal Trade Commission on this 20th day of August, A. D. 1943, issues its complaint against said respondent.

*Notice*

Notice is hereby given you, Columbia River Packers Association, Inc., a corporation, respondent herein, that the 24th day of September, A. D. 1943, at 2 o'clock in the afternoon, is hereby fixed as the time, and the offices of the Federal Trade Commission in the City of Washington, D. C., as the place, when and where a hearing will be had on the charges set forth in this complaint, at which time and place you will have the right, under said Act, to appear and show cause why an order should not be entered by said Commission requiring you to cease and desist from the violations of the law charged in the complaint.

You are notified and required, on or before the twentieth day after service upon you of this complaint, to file with the Commission an answer to the complaint. If answer is filed and if your appearance at the place and on the date above stated be not required, due notice to that effect will be given you. The Rules of Practice adopted by the Commission with respect to answers or failure to appear or answer (Rule IX) provide as follows:

In case of desire to contest the proceeding the respondent shall, within twenty (20) days from the service of the complaint, file with the Commission an answer to the complaint. Such answer shall contain a concise statement of the facts which constitute the ground of defense. Respondent shall specifically admit or deny or explain each of the facts alleged in the complaint, unless respondent is without knowledge, in which case respondent shall so state.

Failure of the respondent to file answer within the time above provided and failure to appear at the time and place fixed for hearing shall be deemed to authorize the Commission, without further notice to respondent, to proceed in regular course on the charges set forth in the complaint.

If respondent desires to waive hearing on the allegations of fact set forth in the complaint and not to contest the facts, the answer may consist of a statement that respondent admits all the material allegations of fact charged in the complaint to be true. Respondent by such answer shall be deemed to have waived a hearing on the allegations of fact set forth in said complaint and to have authorized the Commission, without further evidence, or other intervening procedure, to find such facts to be true.

Contemporaneously with the filing of such answer the respondent may give notice in writing that he desires to be heard on the question as to whether the admitted facts constitute the violation of law charged in the complaint. Pursuant to such notice, the respondent may file a brief, directed solely to that question, in accordance with Rule XXIII.

In witness whereof, the Federal Trade Commission has caused this, its complaint, to be signed by its Secretary, and

its official seal to be hereto affixed, at Washington, D. C., this 20th day of August, A. D. 1943.

By the Commission.

[SEAL]

OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 43-13806; Filed, August 24, 1943;  
11:13 a. m.]

## INTERSTATE COMMERCE COMMISSION.

[Special Permit 31 Under Service Order 133]

SOUTHERN PACIFIC CO., ET AL.

ICING AND REICING OF CARROTS AND CELERY

Pursuant to the authority vested in me by paragraph (b) of the first ordering paragraph (§ 95.313, 8 F.R. 8554) of Service Order No. 133 of June 19, 1943, permission is granted for:

The Southern Pacific Company, The Chicago, Rock Island and Pacific Railway Company (Frank O. Lowden and Joseph B. Fleming, Trustees), or The Alton Railroad Company (Henry A. Gardner, Trustee) to initially ice or reice, with both bunker and top or body ice, PFE 61447 containing carrots from The William H. Gumpertz Co., Oxnard, California, to Mark Owen & Company, Chicago, Illinois; The Southern Pacific Company, the Union Pacific Railroad Company, or The Chicago, Rock Island and Pacific Railway Company (Frank O. Lowden and Joseph B. Fleming, Trustees), to initially ice or reice, with both bunker and top or body ice, PFE 45130 containing carrots from The William H. Gumpertz Co., Oxnard, California, to Applebaum-Ernst Co., Chicago, Illinois; The Southern Pacific Company, The Chicago, Rock Island and Pacific Railway Company, (Frank O. Lowden and Joseph B. Fleming, Trustees), or The Alton Railroad Company (Henry A. Gardner, Trustee) to initially ice or reice, with both bunker and top or body ice, PFE 92850 containing carrots from The William H. Gumpertz Co., Oxnard, California, to Wesco Foods Co., Chicago, Illinois; The Southern Pacific Company, The Chicago, Rock Island and Pacific Railway Company (Frank O. Lowden and Joseph B. Fleming, Trustees), or The Wabash Railway Company (Norman B. Pitcairn and Frank C. Nicodemus, Jr., Receivers), to initially ice or reice, with both bunker and top or body ice, PFE 38926 containing carrots from The William H. Gumpertz Co., Oxnard, California, to Andrews Bros., Detroit, Michigan; The Southern Pacific Company or The Chicago, Rock Island and Pacific Railway Company (Frank O. Lowden and Joseph B. Fleming, Trustees), to initially ice or reice, with both bunker and top or body ice, PFE 36940 containing carrots from The American Fruit Growers, Inc., Oxnard, California, to The American Fruit Growers, Inc., Des Moines, Iowa; The Southern Pacific Company, the Union Pacific Railroad Company, the Chicago, Burlington & Quincy Railroad Company, the Toledo, Peoria & Western Railroad (Holly Stover, Federal Manager), or The Pennsylvania Railroad Company, to initially ice or reice with both bunker and top or body ice, PFE 15709 containing celery from Fred W. Rush Company, Los Angeles, California, to DeMasse & Manna Company, Pittsburgh, Pennsylvania; also, The Southern Pacific Company, the Union Pacific Railroad Company, the Chicago, Burlington & Quincy Railroad Company, or The Pennsylvania Railroad Company, to initially ice or reice, with both bunker and top or body ice, GARX 67771 containing celery from Fred W. Rush Company, Los Angeles, Cal-

ifornia, to the Kroger Grocery & Baking Co., Ft. Wayne, Indiana.

The waybills shall show reference to this special permit.

A copy of this permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 13th day of July 1943.

HOMER C. KING,  
Director, Bureau of Service.

[F. R. Doc. 43-13788; Filed, August 24, 1943;  
10:44 a. m.]

[Special Permit 32 Under Service Order 133]

SOUTHERN PACIFIC CO., ET AL.

ICING AND REICING OF CARROTS AND CELERY

Pursuant to the authority vested in me by paragraph (b) of the first ordering paragraph (§ 95.313, 8 F.R. 8554) of Service Order No. 133 of June 19, 1943, permission is granted for:

The Southern Pacific Company, The Chicago, Rock Island and Pacific Railway Company (Frank O. Lowden and Joseph B. Fleming, Trustees), or The Wabash Railway Company (Norman B. Pitcairn and Frank C. Nicodemus, Jr., Receivers), to initially ice or reice, with both bunker and top or body ice, PFE 17809 containing carrots, shipped by The William H. Gumpertz Co., Oxnard, California, consigned to Andrews Bros., Detroit, Michigan; The Southern Pacific Company, the Texas and New Orleans Railroad Company, the Louisville and Nashville Railroad Company, The Western Railway of Alabama, or the Atlanta and West Point Rail Road Company, to initially ice or reice, with both bunker and top or body ice PFE 41413 containing carrots, shipped for the American Fruit Growers, Inc., by The William H. Gumpertz Co., Oxnard, California, consigned to Colonial Stores, Inc., Atlanta, Georgia; The Southern Pacific Company, the Union Pacific Railroad Company, the Illinois Central Railroad Company, The Michigan Central Railroad Company, The Delaware, Lackawanna and Western Railroad Company, The Delaware and Hudson Railroad Corporation, or the Boston and Maine Railroad, to initially ice or reice, with both bunker and top or body ice, PFE 97587 containing carrots with tops, shipped by the Atlantic Commission Company, Inc., Oxnard, California, consigned to the Atlantic Commission Company, Inc., Springfield, Massachusetts; also, The Southern Pacific Company, the Union Pacific Railroad Company, the Chicago, Burlington & Quincy Railroad Company, the Toledo, Peoria & Western Railroad (Holly Stover, Federal Manager), or The Pennsylvania Railroad Company, to initially ice or reice, with both bunker and top or body ice, PFE 69189 containing celery, shipped by the Atlantic Commission Company, Inc., Los Angeles, California, consigned to the Atlantic Commission Company, Inc., Pittsburgh, Pennsylvania.

The waybills shall show reference to this special permit.

A copy of this permit has been served upon the Association of American Rail-

roads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 13th day of July 1943.

HOMER C. KING,  
Director, Bureau of Service.

[F. R. Doc. 43-13783; Filed, August 24, 1943;  
10:44 a. m.]

[Special Permit 33 Under Service Order 133]

SOUTHERN PACIFIC CO., ET AL.

ICING AND REICING OF CELERY AND CARROTS

Pursuant to the authority vested in me by paragraph (b) of the first ordering paragraph (§ 95.313, 8 F.R. 8554) of Service Order No. 133 of June 19, 1943, permission is granted for:

The Southern Pacific Company to initially ice or reice, with both bunker and top or body ice, PFE 80337 containing celery, shipped by the American Fruit Growers Inc., Oxnard, California, consigned to the American Fruit Growers Inc., San Antonio, Texas; The Southern Pacific Company, The Texas and Pacific Railroad Company, the Missouri-Kansas-Texas Railroad Company, the Missouri Pacific Railroad Company (Guy A. Thompson, Trustee), or The Pennsylvania Railroad Company to initially ice or reice, with both bunker and top or body ice, PFE 38755 containing celery, shipped by the American Fruit Growers Inc., Oxnard, California, consigned to the American Fruit Growers Inc., Pittsburgh, Pennsylvania; The Southern Pacific Company, The Chicago, Rock Island and Pacific Railway Company (Frank O. Lowden and Joseph B. Fleming, Trustees), the Wabash Railway Company (Norman B. Pitcairn and Frank C. Nicodemus, Jr., Receivers), the Indiana Harbor Belt Railroad Company, or the Pere Marquette Railway Company to initially ice or reice, with both bunker and top or body ice, PFE 16300 and PFE 94629 containing carrots, shipped by The William H. Gumpertz Co., Oxnard, California, consigned to Andrews Bros., Detroit, Michigan; The Southern Pacific Company, the Union Pacific Railroad Company, or the Wabash Railway Company (Norman B. Pitcairn and Frank C. Nicodemus, Jr., Receivers), to initially ice or reice, with both bunker and top or body ice, PFE 35339 containing carrots, shipped by the Atlantic Commission Company, Inc., Oxnard, California, consigned to the Atlantic Commission Company, Inc., St. Louis, Missouri; also, The Southern Pacific Company, the Union Pacific Railroad Company, the Chicago, Burlington & Quincy Railroad Company, the Toledo, Peoria & Western Railroad (Holly Stover, Federal Manager), or The Pennsylvania Railroad Company to initially ice or reice, with both bunker and top or body ice, PFE 73354 containing celery, shipped by Fred W. Rush Company, Los Angeles, California, consigned to DeMasse & Manna Co., Pittsburgh, Pennsylvania.

The waybills shall show reference to this special permit.

A copy of this permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the



terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 14th day of July 1943.

HOMER C. KING,  
Director, Bureau of Service.

[F. R. Doc. 43-13790; Filed, August 24, 1943;  
10:44 a. m.]

[Special Permit 34 Under Service Order 133]

SOUTHERN PACIFIC CO., ET AL.

#### ICING OR REICING OF CELERY AND CARROTS

Pursuant to the authority vested in me by paragraph (b) of the first ordering paragraph (§ 95.313, 8 F.R. 8554) of Service Order No. 133 of June 19, 1943, permission is granted for:

The Southern Pacific Company, the Union Pacific Railroad Company, the Chicago, Burlington & Quincy Railroad Company, the Toledo, Peoria & Western Railroad (Holly Stover, Federal Manager), or The Pennsylvania Railroad Company to initially ice or reice, with both bunker and top or body ice, PFE 40302 containing celery, shipped by the Fred W. Rush Company, Los Angeles, California, consigned to DeMasse & Manna Co., Pittsburgh, Pennsylvania; The Southern Pacific Company, the Union Pacific Railroad Company, or the Wabash Railway Company (Norman B. Pitcairn and Frank C. Nicodemus, Jr., Receivers) to initially ice or reice, with both bunker and top or body ice, PFE 73533 containing carrots, shipped by the Atlantic Commission Company, Inc., Oxnard, California, consigned to the Atlantic Commission Company, Inc., St. Louis, Missouri; The Southern Pacific Company, The Texas and Pacific Railway Company, the Missouri-Kansas-Texas Railroad Company, the Missouri Pacific Railroad Company (Guy A. Thompson, Trustee), or The Pennsylvania Railroad Company to initially ice or reice, with both bunker and top or body ice, PFE 38755 containing celery, shipped by the American Fruit Growers Inc., Oxnard, California, to the American Fruit Growers Inc., Pittsburgh, Pennsylvania; The Southern Pacific Company or The Chicago, Rock Island and Pacific Railway Company (Frank O. Lowden and Joseph B. Fleming, Trustees) to initially ice or reice, with both bunker and top or body ice, ART 22435 containing celery, shipped by the American Fruit Growers Inc., Oxnard, California, consigned to the American Fruit Growers Inc., Chicago, Illinois; The Southern Pacific Company, The Chicago, Rock Island and Pacific Railway Company (Frank O. Lowden and Joseph B. Fleming, Trustees), the Wabash Railway Company (Norman B. Pitcairn and Frank C. Nicodemus, Jr., Receivers), the Indiana Harbor Belt Railroad Company, or the Pere Marquette Railway Company to initially ice or reice, with both bunker and top or body ice, PFE 42267 containing carrots, shipped by The William H. Gumpertz Co., Oxnard, California, consigned to Andrews Bros., Detroit, Michigan; also The Southern Pacific Company, The Chicago, Rock Island and Pacific Railway Company (Frank O. Lowden and Joseph B. Fleming, Trustees), or The Alton Railroad Company to initially ice or reice, with both bunker and top or body ice, PFE 60343 containing carrots, shipped by The William H. Gumpertz Co., Oxnard, California, consigned to Wesco Foods Co., Chicago, Illinois.

The waybills shall show reference to this special permit.

A copy of this permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 15th day of July 1943.

HOMER C. KING,  
Director, Bureau of Service.

[F. R. Doc. 43-13791; Filed, August 24, 1943;  
10:44 a. m.]

[Special Permit 35 Under Service Order 133]

SOUTHERN PACIFIC CO., ET AL.

#### ICING AND REICING OF CARROTS AND CELERY

Pursuant to the authority vested in me by paragraph (b) of the first ordering paragraph (§ 95.313, 8 F.R. 8554) of Service Order No. 133 of June 19, 1943, permission is granted for:

The Southern Pacific Company, The Chicago, Rock Island and Pacific Railway Company (Frank O. Lowden and Joseph B. Fleming, Trustees), or The Alton Railroad Company to initially ice or reice, with both bunker and top or body ice, PFE 41284 containing carrots, shipped by The William H. Gumpertz Co., Oxnard, California, consigned to Wesco Foods Co., Chicago, Illinois; The Southern Pacific Company, The Chicago, Rock Island and Pacific Railway Company (Frank O. Lowden and Joseph B. Fleming, Trustees), or The Alton Railroad Company to initially ice or reice, with both bunker and top or body ice, PFE 92385 containing carrots, shipped by The William H. Gumpertz Co., Oxnard, California, consigned to Wesco Foods Co., Chicago, Illinois; The Southern Pacific Company, The Texas and Pacific Railway Company, the St. Louis Southwestern Railway Company (Berryman Henwood, Trustee), the St. Louis-San Francisco Railway Company (J. M. Kurn and John G. Lonsdale, Trustees), or the Central of Georgia Railway Company (H. D. Pollard and A. B. Lovett, Trustees) to initially ice or reice, with both bunker and top or body ice, PFE 97020 containing carrots, shipped by the Atlantic Commission Company, Inc., Oxnard, California, consigned to Mosovitz, Savannah, Georgia, with partial unloading by Freeman, Dent & Sullivan, Macon, Georgia; The Southern Pacific Company, the Union Pacific Railroad Company, or The Chicago, Rock Island and Pacific Railway Company (Frank O. Lowden and Joseph B. Fleming, Trustees) to initially ice or reice, with both bunker and top or body ice, PFE 75810 containing carrots, shipped by the Atlantic Commission Company, Inc., Oxnard, California, consigned to the Atlantic Commission Company, Inc., advise Zimel Fruit Co., Rock Island, Illinois; The Southern Pacific Company, the Union Pacific Railroad Company, the Chicago, Burlington & Quincy Railroad Company, or The Pennsylvania Railroad Company to initially ice or reice, with both bunker and top or body ice, PFE 74055 containing celery and carrots mixed, shipped by the Fred W. Rush Company, Los Angeles, California, consigned to the Kroger Grocery & Baking Co., Ft. Wayne, Indiana; The Southern Pacific Company, The Chicago, Rock Island and Pacific Railway Company (Frank O. Lowden and Joseph B. Fleming, Trustees), or the Chicago, Burlington & Quincy Railroad Com-

pany to initially ice or reice, with both bunker and top or body ice, PFE 32828 containing celery, shipped by the American Fruit Growers Inc., Oxnard, California, consigned to the American Fruit Growers, Inc., Omaha, Nebraska; also, the Pacific Electric Railway Company or The Atchison, Topeka, and Santa Fe Railway Company to initially ice or reice, with both bunker and top or body ice, PFE 94550 and PFE 24821 containing mixed fruit and vegetables, shipped by Kelm Produce Co., Los Angeles, California, consigned to Babbitt Bros., Winslow, Arizona. The waybills shall show reference to this special permit.

A copy of this permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 16th day of July 1943.

HOMER C. KING,  
Director, Bureau of Service.

[F. R. Doc. 43-13792; Filed August 24, 1943;  
10:45 a. m.]

[Special Permit 36 Under Service Order 133]

SOUTHERN PACIFIC CO., ET AL.

#### ICING OR REICING OF CELERY, CARROTS AND GREEN CORN

Pursuant to the authority vested in me by paragraph (b) of the first ordering paragraph (§ 95.313, 8 F.R. 8554) of Service Order No. 133 of June 19, 1943, permission is granted for:

The Southern Pacific Company, The Chicago, Rock Island and Pacific Railway Company (Frank O. Lowden and Joseph B. Fleming, Trustees), the Wabash Railway Company (Norman B. Pitcairn and Frank C. Nicodemus, Jr., Receivers), the Indiana Harbor Belt Railroad Company, or the Pere Marquette Railway Company to initially ice or reice, with both bunker and top or body ice, PFE 97929 and PFE 60400 containing carrots, shipped by The William H. Gumpertz Co., Oxnard, California, consigned to Andrews Bros., Detroit, Michigan; The Southern Pacific Company, The Chicago, Rock Island and Pacific Railway Company (Frank O. Lowden and Joseph B. Fleming, Trustees), of the Chicago, Burlington & Quincy Railroad Company to initially ice or reice, with both bunker and top or body ice, PFE 14945 and ART 23823 containing celery, shipped by the American Fruit Growers Inc., Oxnard, California, consigned to the American Fruit Growers, Inc., Omaha, Nebraska; also The Southern Pacific Company or The Atchison, Topeka and Santa Fe Railway Company to initially ice or reice, with both bunker and top or body ice, PFE 61985 containing green corn, shipped by the Wm. Carillo Co. (Sunny Sally Vegetable Growers), Los Angeles, California, consigned to the United States Army, Ono, California. The waybills shall show reference to this special permit.

A copy of this permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the



terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 17th day of July 1943.

HOMER C. KING,  
Director, Bureau of Service.

[F. R. Doc. 43-13793; Filed, August 24, 1943;  
10:45 a. m.]

[Special Permit 37 Under Service Order 133]

#### SOUTHERN PACIFIC CO.

##### ICING OR REICING OF CARROTS AND CELERY

Pursuant to the authority vested in me by paragraph (b) of the first ordering paragraph (§ 95.313, 8 F.R. 8554) of Service Order No. 133 of June 19, 1943, permission is granted for:

The Southern Pacific Company, The Chicago, Rock Island and Pacific Railway Company (Frank O. Lowden and Joseph B. Fleming, Trustees), the Wabash Railway Company (Norman B. Pitcairn and Frank C. Nicodemus, Jr., Receivers), the Indiana Harbor Belt Railroad Company, or the Pere Marquette Railway Company to initially ice or reice, with both bunker and top or body ice, Art. 24032 and Art. 21926 containing carrots with tops, shipped by The William H. Gumpertz Co., Oxnard, California, consigned to Andrews Bros., Detroit, Michigan; also, The Southern Pacific Company, The Chicago, Rock Island and Pacific Railway Company (Frank O. Lowden and Joseph B. Fleming, Trustees), or the Wabash Railway Company (Norman B. Pitcairn and Frank C. Nicodemus, Jr., Receivers) to initially ice or reice, with both bunker and top or body ice, PFE 17562 containing celery, shipped by the American Fruit Growers Inc., Oxnard, California, consigned to the American Fruit Growers Inc., St. Louis, Missouri.

The waybills shall show reference to this special permit.

A copy of this permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 19th day of July 1943.

HOMER C. KING,  
Director, Bureau of Service.

[F. R. Doc. 43-13794; Filed, August 24, 1943;  
10:45 a. m.]

[Special Permit 38 Under Service Order 133]

#### SOUTHERN PACIFIC CO., ET AL.

##### ICING AND REICING OF FRESH CORN AND MIXED VEGETABLES

Pursuant to the authority vested in me by paragraph (b) of the first order-

ing paragraph (§ 95.313, 8 F.R. 8554) of Service Order No. 133 of June 19, 1943, permission is granted for:

The Southern Pacific Company to initially ice or reice, with both bunker and top or body ice, PFE 98651 containing fresh corn, shipped by the Sunrise Produce Co., Los Angeles, California, consigned to the United States Army, Fort Bliss, Texas; also, The Southern Pacific Company, the Union Pacific Railroad Company, or the Great Northern Railway Company to initially ice or reice, with both bunker and top or body ice, PFE 74818 containing mixed vegetables, shipped by Marshall Anderson, Los Angeles, California, consigned to the Duncan Mongrain Company, Helena, Montana.

The waybills shall show reference to this special permit.

A copy of this permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 20th day of July 1943.

HOMER C. KING,  
Director, Bureau of Service.

[F. R. Doc. 43-13795; Filed, August 24, 1943;  
10:45 a. m.]

[Special Permit 39 Under Service Order 133]

#### SOUTHERN PACIFIC CO.

##### ICING AND REICING OF CELERY

Pursuant to the authority vested in me by paragraph (b) of the first ordering paragraph (§ 95.313, 8 F.R. 8554) of Service Order No. 133 of June 19, 1943, permission is granted for:

The Southern Pacific Company to initially ice or reice, with both bunker and top or body ice, MDT 18274 and PFE 70277 containing celery, shipped by the American Fruit Growers Inc., Oxnard, California, consigned to the American Fruit Growers Inc., Houston, Texas.

The waybills shall show reference to this special permit.

A copy of this permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 21st day of July 1943.

HOMER C. KING,  
Director, Bureau of Service.

[F. R. Doc. 43-13796; Filed, August 24, 1943;  
10:45 a. m.]

[Special Permit 40 Under Service Order 133]

#### SOUTHERN PACIFIC CO., AND ATCHISON, TOPEKA AND SANTA FE RAILWAY CO.

##### ICING OR REICING OF GREEN CORN

Pursuant to the authority vested in me by paragraph (b) of the first ordering paragraph (§ 95.313, 8 F.R. 8554) of Service Order No. 133 of June 19, 1943, permission is granted for:

The Southern Pacific Company or The Atchison, Topeka and Santa Fe Railway Company to initially ice or reice, with both bunker and top or body ice, MDT 19373 containing green corn, shipped by the Sunrise Produce Co., Los Angeles, California, consigned to the United States Army at Ono, California; also, The Southern Pacific Company or The Union Pacific Railroad Company to initially ice or reice, with both bunker and top or body ice, PFE 71377 containing celery, shipped by the American Fruit Growers Inc., Oxnard, California, consigned to the American Fruit Growers Inc., Denver, Colorado.

The waybills shall show reference to this special permit.

A copy of this permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 22nd day of July 1943.

HOMER C. KING,  
Director, Bureau of Service.

[F. R. Doc. 43-13797; Filed, August 24, 1943;  
10:45 a. m.]

#### OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 1931]

ALGUND EENBOOM, ET AL.

Re: Real property owned by Algund Eenboom and others.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9035, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that the following named persons whose last known addresses appear opposite their names, respectively, are residents of Germany and are nationals of a designated enemy country (Germany):

Names and Last Known Addresses

Algund Eenboom, Nuttermoor, Germany.

Aleida Eenboom, Varel, Germany.

Antze Eenboom Qultzow, also known as Frau Antze Qultzow "Geb" Eenboom, Varel, Germany.

Fekellina Eenboom Ernst Schulte, also known as Frau Fekellina Schulte "Geb" Eenboom "Verw" Ernst, Varel, Germany.

2. Finding that the persons referred to in subparagraph 1 hereof are the owners of the real property described in subparagraph 3 hereof;

3. Finding that the property described as follows:

Real property situated in Walla Walla, Washington, particularly described in Exhibit A, attached hereto and made a part hereof, together with all the fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

is property within the United States owned or controlled by nationals of a designated enemy country (Germany);

4. Determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

Hereby vests in the Alien Property Custodian the property described above, subject to recorded liens, encumbrances, and other rights of record held by or for persons who are not nationals of designated enemy countries, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 12, 1943.

[SEAL]

LEO T. CROWLEY,  
Alien Property Custodian.

#### EXHIBIT A

Re: Real property situated in Walla Walla, Washington, owned by Algund Eenboom and others.

All those lots or parcels of land situated in the County of Walla Walla, State of Washington, more particularly described as follows:

*First parcel.* Lot numbered Eight (8) in Block Numbered Ten (10) of the Original Town of Walla Walla, Washington; according to the official plat thereof on file and of record in the office of the Auditor of said County and State.

*Second parcel.* Also, beginning at the Northeast corner of Lot Ten (10) in Block Ten (10) of the Original Town of Walla Walla, Washington, according to the official plat thereof, on file and of record in the office of

the Auditor of said County and State; and running thence Southerly along Fourth Street, a distance of 60 feet; thence Westerly at right angles, a distance of 120 feet; thence Northerly at right angles, a distance of 60 feet; thence Easterly at right angles, a distance of 120 feet to the place of beginning.

[F. R. Doc. 43-13595, Filed, August 20, 1943; 10:39 a. m.]

## OFFICE OF DEFENSE TRANSPORTATION.

### DAIRIES OF ONEONTA, NEW YORK

#### RECOMMENDATION OF JOINT ACTION PLAN

Pursuant to a provision of a general order issued by the Office of Defense Transportation for the purpose, among others, of conserving and providently utilizing motor vehicles and vital equipment, materials and supplies (General Order ODT 17, as amended, 7 F.R. 5678, 7694, 9623; 8 F.R. 8278, 8377, 10910), Cathedral Farms, Meridale Jersey Farms, Inc., Maple Shade Dairy, South Side Dairy, Oneonta Dairy Co., and Fay Chase, have filed with the Office of Defense Transportation for approval a joint action plan relating to the transportation and delivery by motor vehicle of dairy products in Oneonta, New York.

The participants in the plan propose to eliminate wasteful operations in the wholesale and retail delivery of dairy products by reducing and curtailing deliveries and by exchanging wholesale customers. Retail deliveries by motor trucks or by horse-drawn vehicles will be made on an every-other-day basis. No retail delivery truck will start on its route earlier than 7:30 a. m. Wholesale customers will be limited to six deliveries a week. Wholesale trucks will not be started on delivery trips unless fully loaded; and delivery routes will be rearranged to conserve the most mileage. The participants will exchange outlying wholesale customers and will suspend service to such customers if located at unreasonable distances from their plants, provided adequate supplies are available from other sources.

It appearing that the proposed joint action plan is in conformity with General Order ODT 17, as amended, and that the effectuation thereof will accomplish substantial conservation and efficient utilization of motor trucks and vital materials and supplies, the attainment of which purposes is essential to the successful prosecution of the war, I have approved the plan and recommend that the Chairman of the War Production Board find and certify under section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with said joint action plan, is requisite to the prosecution of the war.<sup>1</sup>

Issued at Washington, D. C., this 21st day of August 1943.

JOSEPH B. EASTMAN,  
Director,

Office of Defense Transportation.

[F. R. Doc. 43-13784; Filed, August 24, 1943; 10:24 a. m.]

<sup>1</sup> See Certificate 116, *infra*.

### RETAIL GROCERIES OF TOPEKA, KANSAS

#### RECOMMENDATION OF JOINT ACTION PLAN

Pursuant to a provision of a general order issued by the Office of Defense Transportation for the purpose, among others, of conserving and providently utilizing motor vehicles and vital equipment, materials and supplies, (General Order ODT 17, as amended, 7 F.R. 5678, 7694, 9623; 8 F.R. 8278, 8377, 10910), the retail grocers listed in Appendix A hereto, have filed with the Office of Defense Transportation for approval a joint action plan relating to the transportation and delivery by motor vehicle of food products in Topeka, Kansas, including North Topeka and those districts known as Oakland and Highland Park.

The participants in the plan, who maintain 73 retail grocery stores, propose to eliminate waste in the operation of their 99 motor vehicles by limiting retail deliveries of food products to Mondays, Wednesdays and Fridays of each week. They estimate that effectuation of the plan will result in savings of 164,000 truck-miles a year.

It appearing that the proposed joint action plan is in conformity with General Order ODT 17, as amended, and that the effectuation thereof will accomplish substantial conservation and efficient utilization of motor trucks and vital materials and supplies, the attainment of which purposes is essential to the successful prosecution of the war, I have approved the plan and recommend that the Chairman of the War Production Board find and certify under section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with said joint action plan, is requisite to the prosecution of the war.<sup>1</sup>

Issued at Washington, D. C., this 21st day of August 1943.

JOSEPH B. EASTMAN,  
Director,

Office of Defense Transportation.

#### APPENDIX A

1. Vernon Sanders, Wm. Green & Son Grocery, 813 Kansas Avenue.
2. Whitney Warren, Warren's Grocery, 400 E. 8th Street.
3. Fritz Lenenberger, Gem Grocery, 506 W. 10th Street.
4. Laura Lane, Lane Grocery, 1306 Kansas Avenue.
5. Mrs. Buzard, H. C. Buzard, 1828 Kansas Avenue.
6. J. M. Davis, Davis Food Market, 1936 Kansas Avenue.
7. Major L. Dangerfield, Dangerfield's IGA Store, 1023 West 8th Street.
8. Marvin S. Hutson, Rose & Hutson, 1910 West 6th Street.
9. Bryan Reed, Bryan Reed Grocery, 108 N. Franklin.
10. Emery E. Bailey, Bailey's Grocery, 2408 W. 6th Street.
11. Wm. Hotzel, Hotzel's Market, 3310 W. 6th Street.
12. Preston W. Groat, Preston W. Groat Grocery, 3408 W. 6th Street.
13. Clarence Kinder, Kinder's Market, 1912 West 12th Street.
14. M. V. Brinkman, Stop and Shop Market, 2204 Buchanan Street.
15. Lester L. Haines, Haines Food Market, 1900 Clay Street.

<sup>1</sup> See Certificate 117, *infra*.

16. Zelby Taylor, Zelby Taylor IGA Store, 2503 W. 16th Street.  
 17. John C. Schuler, Schuler's Grocery IGA, 2004 W. 10th Street.  
 18. O. H. Elliott, Harry's Market, 1920 W. 10th Street.  
 19. R. M. Currie, Barrett's Grocery, 312 W. 2nd Street.  
 20. Olan Allen, Railway Sales Company, 234 Kansas Avenue.  
 21. C. H. Shrier, Shrier Grocery, 1150 Washburn Street.  
 22. Merle Reichert, Warnock's Grocery, 300 E. 2nd Street.  
 23. Weddle & Weddle, 1726 Seward Avenue.  
 24. Noe's Grocery, 1814 Seward Avenue.  
 25. Charles Peyton, Mgr., Fritton Grocery Co., #3, 1100 West 6th Street.  
 26. F. D. McGrew, McGrew Food Store, 420 West 6th Street.  
 27. J. H. Richter, Richter Grocery, 624 West 6th Street.  
 28. Geo. W. Rice, Rice's Food Store, 724 West 4th Street.  
 29. S. Olson, Olson Grocery, 1010 West 2nd Street.  
 30. P. A. Weber, P. A. Weber Grocery, 1226 West 1st Street.  
 31. P. J. Shields, C. J. Shields & Son, 501 Washburn Street.  
 32. J. W. Waddle, Waddles IGA, 2015 W. 6th Street.  
 33. H. G. Schlichter, Schlichter's Grocery, 1511 Huntoon Street.  
 34. Robert S. Murray, Murray's IGA, 1016 W. 17th Street.  
 35. Freda Moege, Moege Grocery, 2222 Buchanan Street.  
 36. Ralph W. Moore, Ralph W. Moore Grocery, 1001 Mulvane Street.  
 37. B. V. Fritton, Fritton Grocery, 1000 E. 4th Street, 1401 Seward Avenue.  
 38. John Stadler, John P. Stadler Grocery, 603 Twiss Avenue.  
 39. Mrs. P. J. Melchior, P. J. Melchior Grocery, 508 Sardou Street.  
 40. L. R. Fix, 2627 Ohio Avenue.  
 41. S. J. Titus, 27th & Kentucky Avenue.  
 42. W. J. Mason, W. J. Mason Grocery, 2714 Kentucky Avenue.  
 43. M. J. Hurwitz, M. J. Hurwitz Grocery, 2703 Indiana Avenue.  
 44. L. B. Skaggs, Seabrook IGA, 2035 Gage Blvd.  
 45. T. S. Sanders, Sanders Market, 2616 W. 17th Street.  
 46. Floyd A. McOwen, McQueen Grocery, 2410 Huntoon Street.  
 47. W. F. Krieg, W. F. Krieg Grocery, 2613 West 12th Street.  
 48. Paul Moser, Paul Moser IGA Store, 3107 Huntoon Street.  
 49. Dora & Oscar Jackson, Jackson Grocery, 1199 Lincoln Avenue.  
 50. Geo. E. Coats, Coats Grocery Co., 808 West 12th Street.  
 51. O. R. Boxell, Boxell Grocery, 1417 Kansas Avenue.  
 52. V. A. Sage, Sage Grocery, 1633 Kansas Avenue.  
 53. Frank Wilson, Wilson's Grocery, 1601 Tyler Street.  
 54. E. A. Warring, Warring Bros., 1330 Western Street.  
 55. H. J. Pollock, Clay Street Market, 1035 Clay Street.  
 56. Chas. Buechner, Buechner & Son, 1106 Central Street.  
 57. Harold Warnock, Harold Warnock Grocery, 917 N. Kansas Avenue.  
 58. John J. Green, John J. Green Grocery, 900 N. Kansas Avenue.  
 59. Homer B. Wolford, 2017 N. Tyler Street.  
 60. Neil Brown, Neil Brown Grocery, 1905 W. Central Street.  
 61. A. L. Stanley, A. L. Stanley Food Store, 504 West 10th Street.  
 62. W. L. Haines, W. L. Haines Grocery, 809 E. 10th Street.  
 63. Squire's Grocery, 934 Monroe Street.

64. T. V. Kennedy, T. V. Kennedy Grocery, 400 E. 5th Street.  
 65. Joseph Haney, Joseph Haney Grocery, 800 E. 8th Street.  
 66. Harry Shapiro, Shapiro Food Center, 25th & Virginia Avenue.  
 67. V. C. Lynde, Lynde & Falley Grocery, 1022 W. 6th Street.  
 68. Glen P. Hinshaw, 526 Washburn Street.  
 69. Lawson's Market, 1421 Lane Street.  
 70. Moyer's Grocery, 1240 Clay Street.  
 71. B. H. Stark, 1300 Beawell Street.  
 72. Ernest Dibble, Dibble Grocery Co., 1400 Huntoon Street.

[F. R. Doc. 43-13785; Filed, August 24, 1943; 10:24 a. m.]

[Supp. Order ODT 3, Rev.-53]

ALBINA TRANSFER COMPANY, ET AL.

REGISTRATION OFFICE AT PORTLAND, OREGON,  
FOR HOUSEHOLD GOODS MOTOR CARRIERS

Upon consideration of the application for authority to coordinate motor vehicle service in the transportation of household goods, filed with the Office of Defense Transportation by the motor carriers of Portland, Oregon, named in the Appendix hereof, as governed by § 501.9 of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660), and good cause appearing therefor; *It is hereby ordered*, That:

1. The carriers, and each of them, named in the Appendix hereof (hereinafter collectively called "carriers"), respectively, in the transportation of household goods as common carriers by motor vehicle, shall establish an office (hereinafter referred to as "registration office") at Portland, Oregon, to facilitate the movement of shipments of household goods, in the following manner:

(a) Each carrier shall register with the registration office shipments which the carrier may be unable to transport by reason of the restrictions contained in General Order ODT 3, Revised, as amended;

(b) Each carrier shall register with the registration office all empty or partially loaded equipment for which the carrier has no shipments available;

(c) The manager or employees of the registration office shall advise the carriers as to shipments registered and empty equipment or the unloaded space therein which is available; *Provided*, That nothing herein contained shall be construed to authorize the manager or any employee of the registration office to dispatch equipment, direct traffic, or exercise any supervision or control over the movement of any shipment, or part thereof, in any manner whatsoever;

(d) The manager of the registration office, and each carrier, shall prepare and maintain such records, and make such reports, as the Office of Defense Transportation may prescribe, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942. Such records shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation; and

(e) The cost of maintaining the registration office shall be apportioned

among the carriers as they shall agree on, or in the event the carriers are unable to agree thereon, shall be apportioned as the Office of Defense Transportation shall determine and direct.

2. Shipments exchanged pursuant to this order shall be exchanged in accordance with the following conditions:

(a) All shipments shall be transported to point of destination on the bill of lading of the carrier with whom the shipper entered into the contract of carriage;

(b) Except as may be otherwise provided by agreement between the interested carriers or prescribed by the Interstate Commerce Commission or by an appropriate State regulatory body, the division of revenue derived from transportation of a shipment exchanged, and from storage in transit, packing and unpacking, and other accessorial services pertaining thereto, shall be as determined and directed by the Office of Defense Transportation;

(c) The rates and charges applicable to the transportation, storage in transit, packing and unpacking, and other accessorial services performed in respect of any shipment shall be the lawfully applicable rates and charges of the carrier with whom the shipper entered into the contract of carriage;

(d) The duties and obligations of the originating carrier to the shipper shall not be altered by an exchange made pursuant hereto; and

(e) The carriers shall not exchange shipments with each other except as provided herein.

3. Any common carrier by motor vehicle, duly authorized or permitted to engage in the transportation of household goods, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C., for authorization to participate in the functioning of the registration office established pursuant hereto. A copy of every such application shall be served upon the manager of the registration office. Upon receiving such authorization, such carrier shall become subject to this order and shall thereupon be entitled and required to participate in the functioning of the registration office in accordance with all the provisions and conditions of this order, in the same manner and degree as the carriers named in the Appendix hereof.

4. Nothing contained in this order shall be so construed or applied as to relieve any carrier subject hereto from registering with joint information offices and obtaining clearance certificates as provided in General Order ODT 13, as amended (7 F.R. 5066, 5678), or required by any other General Order, or as to relieve any carrier from any other requirements of the Office of Defense Transportation, or from any other regulatory or legal requirement, or as to require or permit any carrier to perform any transportation service not authorized or sanctioned by law, or to render any service beyond its transportation capacity, or to alter its legal liability to any shipper or other carrier.

5. Each carrier subject to this order engaged in interstate transportation

shall file a copy of this order with the Interstate Commerce Commission, and, if engaged in intrastate commerce, shall file a copy hereof with each appropriate State regulatory body having jurisdiction over any operations affected hereby.

6. Contractual arrangements made by the carriers to effectuate the terms of this order shall not extend beyond the effective period of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 3, Revised-53", and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

8. This Supplementary Order shall become effective on August 28, 1943, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 24th day of August 1943.

JOSEPH B. EASTMAN,  
Director,  
Office of Defense Transportation.

#### APPENDIX

1. Joe F. Fisher, doing business as Albina Transfer Company.
2. Bekins Moving & Storage Co.
3. Lee A. Chappell, doing business as Chappell Truck & Transfer Co.
4. John C. Bauer, doing business as East Side Van & Storage Co.
5. J. J. Shearman, doing business as Fulton & Sons Transfer Co.
6. Hunt Transfer Company, Inc.
7. Bert L. Bowlsby and Bruce F. Bowlsby, doing business as Irvington Transfer & Storage Co.
8. Liberty Transfer & Storage Co.
9. Lyon Van and Storage Co., Inc.
10. Richard F. McCabe, doing business as McCabe Moving & Storage Co.
11. C. M. Olsen Transfer & Storage Co.
12. Oregon Transfer Company.
13. Pihl Transfer & Storage Co.
14. Portland Van & Storage Co., Inc.
15. Lena Pihl and Holger M. Pihl, doing business as St. Johns Transfer & Storage Co.
16. Harry B. Gibbs, doing business as Sellwood Transfer Company.
17. H. J. Swartz, doing business as Swartz Transfer and Storage Co.
18. Alice M. Winchell, doing business as Winchell Transfer.

[F. R. Doc. 43-13817; Filed, August 24, 1943; 11:49 a. m.]

[Supp. Order ODT 3, Rev.-54]

RED ARROW FREIGHT LINES, INC.  
CENTRAL FREIGHT LINES, INC.

COORDINATED OPERATIONS BETWEEN POINTS  
IN TEXAS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by Red Arrow Freight Lines, Inc., Houston, Texas, and Central Freight Lines, Inc., Waco, Texas, pursuant to § 501.9 of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689,

7694; 8 F.R. 4660), a copy of which plan is attached hereto as Appendix 1,<sup>1</sup> and

It appearing that the carriers propose by the plan to coordinate their operations as common carriers of property by motor vehicle between points in Texas, by suspending the transportation of certain shipments and by diverting traffic in such way as to produce increased lading and more efficient use of motor vehicles, and

It further appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved, and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Shipments diverted in execution of the plan shall be transported pursuant to the lawfully applicable rates, charges, rules, and regulations of the diverting carrier.

4. The provisions of this order shall not be so construed or applied as to require either carrier named herein to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit either carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of either carrier named herein, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of opera-

<sup>1</sup> Filed as part of original document.

tions directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 3, Revised-54" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

8. This order shall become effective August 28, 1943, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 24th day of August 1943.

JOSEPH B. EASTMAN,  
Director,  
Office of Defense Transportation.

[F. R. Doc. 43-13816; Filed, August 24, 1943; 11:49 a. m.]

#### OFFICE OF ECONOMIC WARFARE.

##### STATEMENT OF GENERAL ECONOMIC PROGRAMS AND POLICIES

Pursuant to the provisions of Executive Order No. 9361,<sup>1</sup> of July 15, 1943, the following general economic programs and policies of the Office of Economic Warfare have been approved by the War Mobilization Committee, by resolution signed by more than a majority of the members of said Committee, at a meeting held on July 29, 1943:

**Exports.** To control the commercial exportation from the United States and its Territories, dependencies and possessions, of articles, materials, supplies and technical data so as to: (1) prevent the exportation of any articles, materials, supplies or technical data to such destinations, in such amounts or to such consignees as might aid directly or indirectly the enemy; (2) prevent the exportation, except for the purposes set forth in items (4) to (8) herein, of articles, materials or supplies required within the United States, its Territories, dependencies or possessions, for the war production effort and the civilian economy; (3) prevent the exportation of technical data except where necessary to assist in the development of industrial and mechanical techniques employed in furtherance of the war program of the United Nations and where adequate assurance is provided that such data will not be made available to unfriendly interests or where the nature of the data is such that

<sup>1</sup> 8 F.R. 9361.

indiscriminate disclosure will not impair the national defense or well being of the country; (4) supply materials needed to maintain and expand the production and procurement abroad of strategic and critical materials required for the war effort and civilian economies of the United Nations; (5) supply materials to allied countries of the kinds and in the amounts necessary to maintain their war and domestic economies; (6) supply materials to friendly countries of the kinds and in the amounts necessary to maintain their domestic economies; (7) insure, within the limitations of shipping availabilities, the priority of movement of goods most essential to the economies of such allied or other friendly countries; (8) control the shipment of goods to European and other neutrals with a view to obtaining from them concessions helpful to the war program of the United Nations and detrimental to the war effort of the enemy countries; and, incident to the foregoing, (9) locate stranded critical and strategic materials, including materials the exportation of which has been denied, and direct such materials in active channels where they will further the war program, either through the medium of voluntary resale or requisitioning and, where requisitioning is necessary, determine the fair and just compensation to be paid the owner; and, in the administration of said programs and policies, so administer its controls, consistent with the war exigencies, as to maintain and strengthen private trade channels and protect the trade position of the United States.

**Imports.** To provide for the procurement and production of materials and commodities in foreign countries so as to: (1) effectuate with maximum speed the execution of directives of the Chairman of the War Production Board and the War Food Administrator as to quantities, specifications, delivery time schedules, and priorities of materials, and commodities required to be imported for the war production effort and the civilian economy; (2) obtain, through preclusive purchase, materials and commodities, whether or not included in said directives of the War Production Board or the War Food Administrator, which may be vital to the enemy, either for military or civilian needs; (3) at the request of, or in cooperation with, as the case may be, the Department of State, the Lend-Lease Administration, the Army, the Navy or other affected agencies, arrange for the purchase or receipt of commodities for stockpile, stabilization or other approved purposes, and, pursuant to the priority determinations of the War Production Board and in collaboration with the War Shipping Administration, supervise the transportation of said commodities; and in the administration of said programs and policies, so far as consistent with the war exigencies, maintain and strengthen private trade channels, and protect the trade position of the United States.

**Economic warfare analysis.** To recommend or direct appropriate economic warfare measures, within the limits of prescribed authority, and, for these purposes, to collect, analyze and evaluate economic intelligence in order to: (1) maintain and tighten the blockade of the European continent; (2) injure the enemy and aid the United Nations by means of trade controls designed to secure maximum supplies and to restrict the flow of materials to the enemy; (3) work with other interested agencies in the elimination from Latin America of Axis or other economic interests inimical to the United States; (4) work with other interested agencies in the handling of economic problems in reoccupied or liberated areas; (5) perform technical services and operations necessary to the work of the Office of Economic Warfare abroad, in the fields of industrial engineering, petroleum, air transport, economic intelligence, cartography; and (6) assist the armed services in (a) esti-

mating enemy economic war capabilities; (b) analyzing bombing objectives in terms of industrial importance and susceptibility to damage; (c) assessing economic damage caused by bombing of specific targets and relating such damage to the total enemy productive capacity; and (d) meeting the problems of overseas supply.

A certified copy of the resolution embodying the foregoing was filed with the Secretary of State on August 4, 1943.

Dated: August 23, 1943.

[SEAL] LEO T. CROWLEY,  
Director.

[F. R. Doc. 43-13741; Filed, August 23, 1943;  
4:16 p. m.]

## OFFICE OF PRICE ADMINISTRATION.

[Order A-1 Under MPR 153, Corr. to  
Amdt. 10]

### ASPHALT

#### MODIFICATION OF MAXIMUM PRICES

Correction to Amendment No. 10 to Order No. A-1 under § 1499.159b of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

Subdivision (ix) of subparagraph (11) is corrected in the following respect:

In subdivision (ix) entitled "Adjusted Maximum Prices", under the column headed "F. O. B. shipping point (no freight equalization)" the second item under subcolumn "LCL" is corrected to read ".027" instead of ".27."

This correction shall be effective as of August 4, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 23d day of August 1943.

CHESTER BOWLES,  
Acting Administrator.

[F. R. Doc. 43-13732; Filed, August 23, 1943;  
12:03 p. m.]

## Regional, State and District Office Orders.

[Region I, Order G-1 Under MPR 154]

### ICE IN WORCESTER, MASS.

Order No. G-1 under Maximum Price Regulation No. 154 as amended.

For reasons set forth in an opinion accompanying this order, and pursuant to and under the authority vested in the District Director of the Worcester District Office, Region I, of the Office of Price Administration, under the authority contained in Amendment No. 3 of Maximum Price Regulation No. 154 as amended, *It is hereby ordered:*

(a) For retail delivered sales of natural and manufactured ice, and for platform sales of manufactured ice in the Worcester District Area, the maximum prices established by Maximum Price Regulation No. 154, ICE, are modified, so that the maximum prices for retail delivered sales of natural and manufactured ice and for platform sales of manufactured ice shall be either the maximum prices established by the seller under paragraph (a) or paragraph (b) of

§ 1393.12, or the respective prices listed in Schedule A for the quantities named, whichever are higher.

#### SCHEDULE A

Maximum prices for natural and manufactured ice

	Per Cwt.
Retail delivered sales.....	\$0.60
Delivered commercial sales (Less than 300 lbs. initial delivery).....	.50
Quantity delivered commercial sales (Over 300 lbs. initial delivery).....	.40
Retail cash and carry sales (Less than 300 lbs.).....	.40
	Per ton
Wholesale at platform sales (For resale or otherwise 300 lbs. or over).....	4.00

Lower prices than those set forth in schedule A may be charged, demanded, paid, or offered.

(1) **Definitions:** For the purposes of this order, the term:

(i) "Retail delivered sales" means a sale of ice delivered to the purchaser (refrigerator or ice container) or at the purchaser's receiving point.

(ii) "Delivered commercial sales" means a sale of less than 300 lbs. initial delivery, of ice delivered to the purchaser (refrigerator or ice container) or at the purchaser's receiving point.

(iii) "Quantity delivered commercial sales" means a sale of ice delivered to the purchaser (refrigerator or ice container) or at the purchaser's receiving point.

(iv) "Retail cash and carry" means a sale of ice of less than 300 lbs. at the seller's platform, storage box, or place of business—in general not for resale.

(v) "Wholesale at platform for resale or otherwise" means a sale of 300 lbs. or over of ice, delivery of which is made to the purchaser at the seller's place of business.

(2) This order is subject to all the provisions of Maximum Price Regulation No. 154, Ice, as amended, which are hereby made a part of this order. Nothing contained, however, in § 1393.12 (e) (Amendment #4) of Maximum Price Regulation No. 154—Ice, as amended, shall be construed as affecting or prohibiting the ceiling prices established by this order.

(3) This order may be revoked, amended or corrected at any time.

This order shall become effective July 22, 1943.

Issued this 21st day of July 1943.

FRED W. MURKLAND,  
Acting District Director.

[F. R. Doc. 43-13722; Filed, August 23, 1943;  
11:39 a. m.]

[Region III Order G-5 Under MPR 165,  
Amdt. 4]

### POWER LAUNDRIES IN WAYNE COUNTY, MICH.

Amendment No. 4 to Order No. G-5 under Maximum Price Regulation No. 165, as amended—Services power laundries in Wayne County, Michigan.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office



of Price Administration by § 1499.114 (d) of Maximum Price Regulation No. 165, as amended, *It is hereby ordered*, That paragraph (h) be amended to read as set forth below.

(h) No additional charges of any kind may be added to the maximum prices established by this order; *Provided, however*, That each of the following laundries, notwithstanding the provisions of paragraphs (a), (b), or (c) hereof, may increase its prices as set forth in Table 2 of Appendix A hereof in an amount not in excess of the percentage increases set forth below.

	Permitted increase (percent)
Duncan Laundry Company, 4630 Crane...	14
Fenwick Laundry Company, 531 E. Forest	14
Fine Arts Laundry Company, 5435 McGraw	3
Grand Laundry, 1250 W. Lafayette	14
LaMeasure Bros., Inc., 1450 21st Street	6
Modern Laundry Company, 3705 E. Jefferson	3
National Laundry, 555 Farnsworth	3
Quality Laundry, 12000 Cloverdale	6
Royal Laundry, 3748 E. Fort	6
Wash-Rite Laundry, 6837 Chase Road	6

Each invoice or bill shall first be computed without taking into account the above-scheduled permitted increases. The total of such invoice or bill so determined may then be increased by an amount not in excess of the above-scheduled permitted increases.

This Amendment to Order No. G-5 under Maximum Price Regulation No. 165, as amended, shall become effective July 21, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued July 21, 1943.

CLIFFORD J. HOUSER,  
Acting Regional Administrator.

[F. R. Doc. 43-13726; Filed, August 23, 1943; 11:40 a. m.]

[Region IV Order G-1 Under Temp. MPR 29, Revocation]

#### VEGETABLES IN ATLANTA REGIONAL AREA

Revocation of Order No. G-1 under Temporary Maximum Price Regulation No. 29—Modification of prices of certain listed vegetables in the Atlanta Regional Area; (formerly General Order No. 1).

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator for Region IV of the Office of Price Administration by Revised General Order No. 32, as amended: *It is hereby ordered*, That Order No. G-1 under Temporary Maximum Price Regulation No. 29, Modification of Prices of Certain Listed Vegetables in the Atlanta Regional Area, issued April 22, 1943, be, and it hereby is, revoked, subject to the provisions of Supplementary Order No. 40, issued April 3, 1943, 8 F.R. 4325.

This order shall become effective July 20, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 20th day of July 1943.

JAMES C. DERIEUX,  
Regional Administrator.

[F. R. Doc. 43-13717; Filed, August 23, 1943; 11:38 a. m.]

[Region IV Order G-1 Under MPR 154, Amdt. 1]

#### ICE IN OCEAN SPRINGS-BILOXI-GULFPORT-LONG BEACH, MISS., AREA

Amendment 1 to Order Number G-1 issued under Maximum Price Regulation 154—Ice.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Mississippi District Office of the Office of Price Administration by § 1398.8 (e) (f) (g) of Maximum Price Regulation 154 and by Regional Delegation Order No. 4 issued by Region IV of the Office of Price Administration dated April 15, 1943: *It is hereby ordered*:

(a) A new subsection is hereby inserted in Order No. G-1, under Maximum Price Regulation 154, issued by the Mississippi District Office of the Office of Price Administration, as follows:

(2) On all sales of crushed ice the seller may add the sum of 5¢ per cwt. to the applicable price as set forth in the previous subsection (1). The foregoing insertion shall bear section Number (a) (2) in the aforesaid Order G-1.

(b) This amendment may be revoked, amended or corrected at any time.

(c) This amendment shall become effective July 21, 1943.

(Pub. Laws 421 and 729, 77th Congress; E.O. 9250, 7 F.R. 7871)

Issued this 19th day of July 1943.

WILLIAM E. HOLCOMB,  
District Director.

[F. R. Doc. 43-13728; Filed, August 23, 1943; 11:39 a. m.]

[Region IV Order G-20 Under 18 (c), Revocation]

#### FLUID MILK IN PASCO COUNTY, FLA.

Revocation of General Order No. G-20 Under § 1499.18 (c) of the General Maximum Price Regulation. Adjustment of fluid milk prices for Pasco County, Florida.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator for Region IV of the Office of Price Administration by Revised General Order No. G-20 under § 1499.18 (c) of the General Maximum Price Regulation, Adjustment of Fluid Milk Prices for Pasco County, Florida,

be, and it hereby is, revoked, subject to the provisions of Supplementary Order No. 40, issued April 3, 1943, 8 F.R. 4325.

This order shall become effective July 15, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 20th day of July 1943.

JAMES C. DERIEUX,  
Regional Administrator.

[F. R. Doc. 43-13721; Filed, August 23, 1943; 11:37 a. m.]

[Region VII Order G-2 Under MPR 426]

#### FRESH BERRIES IN WYOMING

Order No. G-2 under Maximum Price Regulation No. 426. Adjustment of prices for variety of fresh berries when sold in the State of Wyoming.

Pursuant to the Emergency Price Control Act of 1942, as amended, and section 2 (b) of Maximum Price Regulation No. 426, *It is hereby ordered*:

(a) *Adjusted maximum prices for sales of fresh berries in the State of Wyoming.* Column 3 of paragraph (e) to Appendix C of Article III is hereby modified to read as follows:

	Column 3 Maximum prices for less than carlot or less than trucklot sales to any persons other than ultimate consumers in the State of Wyoming
Red raspberries.....	18¢ per pound plus cost of transportation plus 4¢ per pint or 5¢ per quart.
Black raspberries...	16¢ per pound plus cost of transportation plus 4¢ per pint or 5¢ per quart.
Youngberries.....	15¢ per pound plus cost of transportation plus 5¢ per quart.
Boysenberries.....	15¢ per pound plus cost of transportation plus 5¢ per quart.
Loganberries.....	15¢ per pound plus cost of transportation plus 5¢ per quart.
Blackberries.....	15¢ per pound plus cost of transportation plus 5¢ per quart.
Gooseberries.....	11¢ per pound plus cost of transportation plus 5¢ per quart.

(b) *Applicability of other regulations.* Except as the same are inconsistent with or contradictory of the terms and provisions of this order, all of the terms and provisions of Maximum Price Regulation No. 426 as amended to date shall remain in full force and effect, be applicable to and continue to govern sales of the variety of fresh berries named herein when sold in the manner and form as specified in paragraph (a) hereof.

(c) *Right to revoke or amend.* This order may be revoked, modified or amended at any time by the Price Ad-



ministrator or the Regional Administrator.

(d) *Effective date.* This order shall become effective as of July 20, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 20th day of July 1943.

CLEM W. COLLINS,  
Regional Administrator.

[F. R. Doc. 43-13723; Filed, August 23, 1943;  
11:35 a. m.]

[Region VIII Order G-3 Under 18 (c),  
Amdt. 23]

#### FLUID MILK IN WASHINGTON

Amendment No. 23 to Order No. G-3 under § 1499.18 (c) as amended of the General Maximum Price Regulation (formerly Order No. 4 under 18 (c) of the General Maximum Price Regulation as amended). Fluid milk prices at wholesale and retail in the State of Washington.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation: *It is hereby ordered,* That Order No. G-3 under § 1499.18 (c) as amended of the General Maximum Price Regulation (formerly Order No. 4 under 18 (c) of the General Maximum Price Regulation as amended) be amended as set forth below:

(a) Section (1) as amended is hereby further amended by adding at the end thereof the following:

#### THE TOWNS OF DIABLO AND NEWHALEM

	Wholesale price	Retail price
Quart container.....	\$0.11	\$0.13

This amendment shall become effective upon issuance.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 20th day of July 1943.

L. F. GENTNER,  
Acting Regional Administrator.

[F. R. Doc. 43-13724; Filed, August 23, 1943;  
11:37 a. m.]

[Region VIII Order G-4 Under MPR 154]

#### ICE SALES TO PACIFIC FRUIT EXPRESS CO., MESA, ARIZ.

Order No. G-4 under Maximum Price Regulation No. 154. Ice.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1393.8 (e) of Maximum Price Regulation No. 154: *It is hereby ordered:*

(a) The adjusted maximum price for sales of ice to the Pacific Fruit Express Company at Mesa, Arizona shall be as follows:

(1) For sales of ice in tanks of cars at icing platform, the adjusted maximum price shall be \$4.25 per ton.

(2) For sales of ice in tanks of cars at points other than platform, the adjusted maximum price shall be \$5.00 per ton.

(3) For sales of ice for tank icing purposes in storage rooms of plant, the adjusted maximum price shall be \$3.75 per ton.

(4) For sales of opaque ice in carloads, the adjusted maximum price shall be \$3.85 per ton.

(5) For sales of clear ice in carloads, the adjusted maximum price shall be \$4.00 per ton.

(b) The adjusted maximum prices established for sales of ice as specified in paragraphs (a) (1), (2), (3), (4), and (5) and of all sales of ice to the Pacific Fruit Express at Mesa, Arizona not covered by said paragraph are subject to the following discounts:

Sales per contract year:	Discount, per ton
5,000 to 10,000 tons.....	\$0.25
More than 10,000 tons.....	.50

(c) This order No. G-4 may be revoked, amended, or corrected at any time. This order shall become effective July 24, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 20th day of July 1943.

L. F. GENTNER,  
Acting Regional Administrator.

[F. R. Doc. 43-13725; Filed, August 23, 1943;  
11:35 a. m.]

[Region VIII Order G-5 Under MPR 154]

#### ICE IN COOLIDGE AND FLORENCE, ARIZ.

Order No. G-5 under Maximum Price Regulation No. 154. Ice.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1393.8 (c) of Maximum Price Regulation No. 154: *It is hereby ordered:*

(a) The maximum price for sales of ice in the towns of Coolidge and Florence in the state of Arizona shall be the seller's previous maximum price as determined under § 1393.12 of Maximum Price Regulation No. 154 as amended or the adjusted maximum price specified below whichever is higher:

(1) For sales of ice at wholesale the adjusted maximum price shall be \$5 per ton at the seller's customary dispensing point.

(2) For sales of ice delivered to the government internment camp at Florence, Arizona the adjusted maximum price shall be \$5.55 per hundred pounds.

(3) For sales of ice at retail in Coolidge, Arizona the adjusted maximum price shall be as follows:

Quantity	Adjusted maximum price	
	At platform	Delivered
12½ pounds.....	\$3.10	\$3.10
25 pounds.....	.15	.15
50 pounds.....	.53	.53
100 pounds or over.....	.45	.55

(b) This order shall terminate September 1, 1943.

(c) This order may be revoked, amended or corrected at any time.

This order shall become effective July 24, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 21st day of July 1943.

L. F. GENTNER,  
Acting Regional Administrator.

[F. R. Doc. 43-13727; Filed, August 23, 1943;  
11:35 a. m.]

[Region VIII Order G-12 Under 18 (c),  
Amdt. 1]

#### HAULING OF ALFALFA HAY IN CERTAIN CALIFORNIA LOCALITIES

Amendment No. 1 to Order No. G-12 under § 1499.18 (c) as amended of the General Maximum Price Regulation (formerly Order No. 16 under section 18 (c) of the General Maximum Price Regulation as amended). Maximum prices for the transportation of alfalfa hay by truck in certain localities in the State of California.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) as amended, of the General Maximum Price Regulation: *It is hereby ordered,* That Order No. G-12 under § 1499.18 (c) as amended of the General Maximum Price Regulation (formerly Order No. 16 under section 18 (c) of the General Maximum Price Regulation as amended) be amended in the following particulars:

Section (1) is amended by adding at the end thereof a new paragraph designated (c), to read as follows:

(c) The maximum prices which may be charged by any person other than a common carrier for the hauling of alfalfa hay in truck-lots from railroad sidings at Puente, El Monte, Downey, Firestone, and Revere, California, to delivery points as set forth below, including unloading from railroad car, loading on motor truck, transporting to point of delivery, and unloading at point of delivery, shall be the existing maximum price established for such person by the General Maximum Price Regulation, or the adjusted maximum price set forth below, whichever is higher:

(1) From railroad siding to any point not more than 8 miles distant therefrom, \$2.00 per ton.

(2) From railroad siding to any point more than 8 miles distant therefrom, \$2.50 per ton.

This amendment shall become effective upon its issuance.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 21st day of July 1943.

L. F. GENTNER,  
Acting Regional Administrator.

[F. R. Doc. 43-13729; Filed, August 23, 1943;  
11:37 a. m.]

## SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 54-67, 59-64, 70-723]

PEOPLES' LIGHT AND POWER COMPANY, ET AL.  
ORDER APPROVING APPLICATIONS AND PERMITTING DECLARATIONS TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 23d day of August 1943.

In the matter of Peoples Light and Power Company and subsidiary companies, applicants, File No. 54-67; Peoples Light and Power Company, California Public Service Company, Texas Public Service Company, Texas Public Service Farm Company, West Coast Power Company, and Western States Utilities Company, respondents, File No. 59-64; and Consolidated Electric and Gas Company and Peoples Gas Company, File No. 70-723.

Peoples Light and Power Company ("Peoples"), a registered holding company, and two of its subsidiaries, West Coast Power Company ("West Coast") and Texas Public Service Company ("Texas Public"), having filed declarations and applications, pursuant to the Public Utility Holding Company Act of 1935 with respect to the following:

The issuance and sale by West Coast of \$600,000 principal amount of a new series of 4% First Mortgage Bonds, due 1963; the declaration of a liquidating dividend of \$754,400 by West Coast to Peoples; the contribution of \$1,000,000 in cash by Peoples to Texas Public; the acquisition by Texas Public from Consolidated Electric and Gas Company ("Consolidated"), a registered holding company, of all the outstanding 4,950 shares of common stock of \$100 par value of Peoples Gas Company ("Peoples Gas"), a subsidiary of Consolidated, for \$1,246,000 in cash, subject to certain adjustments; immediately after such acquisition of common stock, the acquisition by Texas Public of the physical properties and other assets of Peoples Gas, subject to related liabilities, through the liquidation of such company and thereafter the dissolution of such company; and

Consolidated and Peoples Gas having filed applications and declarations pursuant to the Public Utility Holding Company Act of 1935 with respect to the following:

The sale by Consolidated to Texas Public of all the outstanding common stock of Peoples Gas, as above mentioned; the use of the proceeds of such sale by Consolidated to acquire in the open market through brokers, and retire, Southern Cities Utilities Company 30-year First Lien and Collateral Trust 5% Gold Bonds, due 1958, assumed by Consolidated; prior to the acquisition by Texas Public of the common stock of Peoples Gas, the redemption and retirement by Peoples Gas, at the request of Texas Public, of all the outstanding First Mortgage Bonds due 1961 in the principal amount of \$675,000 with treasury cash and \$600,000 in funds borrowed for that purpose from a bank

or banks; in connection with such borrowing, the issue and sale by Peoples Gas of a promissory note or notes to such bank or banks in return for moneys loaned.

The aforementioned applications and declarations having been consolidated for the purpose of hearings, and hearings having been held after due notice, and at such hearings the City of Port Arthur having intervened in opposition to the proposed acquisition by Texas Public of the common stock and assets of Peoples Gas; and requested findings of fact having been waived and briefs having been filed and an oral argument having been heard with respect to such acquisition and requested findings of fact, briefs and oral argument having been waived as to the remaining transactions; and the Commission having considered the record and having made and filed its Findings and Opinion herein;

*It is hereby ordered and recited, (a)* With respect to the sale by Consolidated of 4,950 shares of common stock of \$100 par value of Peoples Gas to Texas Public for \$1,246,000 in cash, subject to adjustments as of date of closing pursuant to contract between Consolidated and Texas Public dated May 26, 1943, which contract is incorporated in this order by reference, (b) with respect to the use for such purpose of cash deposited under the mortgage of Texas Public as a result of the sale by Texas Public of its water and irrigation properties in Jefferson, Hardin, Liberty and Chambers Counties, Texas, to the Lower Neches Valley Authority for the sum of approximately \$3,055,000 in cash; and (c) with respect to the issue and sale by Peoples Gas to a bank or banks of a promissory note or notes in the principal amount of \$600,000; that such sale of common stock and such issue and sale of a promissory note or notes are necessary or appropriate to the integration or simplification of Consolidated's holding company system and that such use of cash by Texas Public is necessary or appropriate to the integration or simplification of Peoples' holding company system, and that such sale of common stock, such issue and sale of a promissory note or notes and such use of cash are necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935;

*It is further ordered, That the* aforesaid declarations be and hereby are permitted to become effective and the aforesaid applications be and hereby are granted forthwith, subject to the terms and conditions in Rule U-24 and to the following additional terms and conditions:

(1) That at least seven days before purchases are commenced Consolidated shall advise by letter each known holder of Southern Cities Bonds fully with respect to its intention to make such purchases and the method to be employed, the form of such letter to be submitted to the staff of the Public Utilities Division of this Commission prior to release;

(2) That Consolidated shall not solicit or cause to be solicited from individual

bondholders the sale of any bonds to the company;

(3) That no purchases shall be made directly or indirectly from persons or corporations in any way associated or affiliated with Consolidated; and

(4) That Consolidated shall furnish to the Commission promptly after the last day of each month, a schedule showing for each day covered by such report the number of bonds purchased, the prices at which purchased, and the name of the broker through whom purchased.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 43-13777; Filed, August 24, 1943;  
9:29 a. m.]

[File No. 70-282]

COMMUNITY POWER AND LIGHT COMPANY,  
ET AL.

## ORDER GRANTING EXTENSION OF TIME

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 21st day of August, A. D. 1943.

In the matter of Community Power and Light Company, General Public Utilities, Inc., Southwestern Public Service Company, et al., File No. 70-282.

The Commission having by order dated July 8, 1942, entered pursuant to section 11 of the Public Utility Holding Company Act of 1935, directed, pursuant to section 11 (b) (1) of said Act, that Southwestern Public Service Company, a registered holding company, divest itself of all ownership and all control of certain properties and investments designated in said order and the order having provided that such divestment should be effected within one year from said date, unless such time should be further extended by the Commission; and

Southwestern Public Service Company having filed an application requesting an extension of time for one year within which to comply with the divestment provisions of said order of July 8, 1942; and

The Commission having found that Southwestern Public Service Company has been unable in the exercise of due diligence to comply with the divestment provisions of said order within the initial statutory period of one year from the date thereof, and that the requested extension of time is necessary and appropriate in the public interest and for the protection of investors and consumers:

*It is ordered, That* Southwestern Public Service Company be and it is hereby granted an additional period of one year from July 8, 1943, within which to comply with said provisions of said order of July 8, 1942.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 43-13778; Filed, August 24, 1943;  
9:29 a. m.]

[File Nos. 70-706, 70-707, 70-708, 70-760]

THE UNITED GAS IMPROVEMENT  
COMPANY, ET AL.ORDER PERMITTING DECLARATIONS TO BE-  
COME EFFECTIVE AND GRANTING APPLICA-  
TION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 21st day of August 1943.

In the matter of the United Gas Improvement Company, File No. 70-706; Pennsylvania Electric Company, Erie County Electric Company, and Associated Electric Company, File No. 70-707; General Gas & Electric Corporation and Virginia Public Service Company, File No. 70-708; Pennsylvania Electric Company, File No. 70-760.

The United Gas Improvement Company (U. G. I.), Erie County Electric Company (Erie), Pennsylvania Electric Company (Penelec), Associated Electric Company (Aelec), Virginia Public Service Company (Virginia), and General Gas & Electric Corporation (Gengas), having filed applications, as amended, and declarations, as amended, under sections 6, 7, 9, 10, and 12 of the Public Utility Holding Company Act of 1935 and the Rules and Regulations promulgated thereunder, with respect to the following transactions:

1. Penelec will issue and sell 171,075 shares of its \$20 par value common stock to its parent, Aelec, for \$3,421,500 in cash. Subsequently, Aelec will donate 152,756 shares of such common stock to Penelec, thereby creating a capital surplus on the books of Penelec out of which a reserve will be created to provide fully for the excess of the purchase price of the assets of Erie over the book value thereof.

2. Erie will reclassify its presently outstanding 39,375 shares of \$100 par value common stock, all of which are presently held by U. G. I., into 35,000 shares of \$100 par value 5% cumulative preferred stock, and 4,375 shares of \$100 par value common stock. The preferred stock will be, by its terms, redeemable at par, at the option of either the issuer or holder, upon thirty days written notice.

3. Gengas will deliver to U. G. I. 121,334 shares (two-thirds of the total outstanding) of \$6 par value common stock of Eastern Shore Public Service Company (Del.) (Eastern Shore), in consideration of the payment to it by Penelec of \$566,667 in cash, plus adjustment for undistributed earnings applicable to said stock.

4. Virginia will deliver to U. G. I. 60,666 shares (one-third of the total outstanding) of \$6 par value common stock of Eastern Shore, in consideration of the payment to it by Penelec of \$283,333 in cash, plus adjustment for undistributed earnings applicable to said stock.

5. Penelec will acquire all of the then outstanding 4,375 shares of reclassified common stock of Erie, in consideration of the payment by it to U. G. I. of \$2,571,500 in cash, and the delivery to U. G. I. by Gengas and Virginia of all of the common stock of Eastern Shore.

6. Concurrently with or before the acquisition of the Erie common stock by Penelec,

U. G. I. will exercise its option to have redeemed the then outstanding 35,000 shares of 5% Cumulative Preferred Stock of Erie.

7. Penelec will acquire the assets and assume all the liabilities (including the liability of \$3,500,000 arising from the call of the preferred stock) of Erie, transferring to Erie, in consideration thereof, all of the then outstanding (4,375) shares of its common stock. Erie will then be dissolved.

8. If, after U. G. I. acquires the common stock of Eastern Shore, the outstanding preferred stock of Eastern Shore is called for redemption (as is presently contemplated by U. G. I.) and a sum in excess of the liquidating value of \$100 a share for the preferred stock is paid, Penelec will pay in cash to U. G. I. an amount equal to the additional amount paid but not in excess of \$215,559.

9. Penelec will issue and sell at competitive sale, pursuant to Rule U-50, 35,000 shares of its cumulative preferred stock. The preferred stock will be identical with its presently outstanding cumulative preferred stock 5.10% Series A, \$100 par value, except with respect to dividend rate and redemption rate. The additional preferred stock will have a dividend rate of not over 5.10%, with the price to the company fixed at not less than 102. The proceeds from the sale of the preferred stock will be applied to liquidate the liability resulting from the call of the preferred stock of Erie.

10. Penelec will issue and sell, at competitive sale, pursuant to Rule U-50, \$4,000,000 principal amount of its First Mortgage Bonds. Such bonds will be issued under an Indenture supplemental to the Indenture securing its presently outstanding \$32,000,000 principal amount of First Mortgage 3½% Bonds, due January 1, 1972. The proceeds are to be used to refund the presently outstanding First Mortgage 5% Series Bonds, due November 1, 1978, of Keystone Public Service Company, in the same principal amount.

The Delmarva Electric Cooperative, Inc., having been given the right to participate in the proceedings, having moved that the Commission disapprove the proposal for the acquisition by The United Gas Improvement Company of the Common Stock of Eastern Shore Public Service Company (Delaware):

Public hearings having been held upon such matters after appropriate notice, and the Commission having considered the record and having made and filed its findings and opinion herein;

*It is ordered*, That said application, as amended, and said declarations, as amended, be and hereby are granted and permitted to become effective forthwith, subject to the terms and conditions contained in Rule U-24; and subject to the requirements of Rule U-50 with respect to the issuance of the \$4,000,000 principal amount of First Mortgage Bonds and of the 35,000 shares of Cumulative Preferred Stock, by Penelec, and that jurisdiction is reserved over the fees to be paid to Davis Polk Wardwell Sunderland & Kiendl, independent counsel to the prospective purchasers of the said securities;

*It is further ordered*, That the ten day period for inviting bids, as provided by Rule U-50, be shortened to a period of not less than seven days.

*It is further ordered*, That the said motion of the Delmarva Electric Cooperative, Inc., be and is hereby denied.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,  
Secretary.[F. R. Doc. 43-13778; Filed, August 24, 1943;  
9:23 a. m.]

## WAR PRODUCTION BOARD.

[Certificate 116]

TRANSPORTATION AND DELIVERY OF DAIRY  
PRODUCTS IN ONEONTA, N. Y.

## APPROVAL OF JOINT ACTION

## The ATTORNEY GENERAL:

I submit herewith a recommendation of the Director of the Office of Defense Transportation concerning a plan for joint action by the persons named therein with respect to the transportation and delivery of dairy products in Oneonta, New York.<sup>1</sup>

For the purposes of section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I approve the joint action plan described in the recommendation; and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with such joint action plan is requisite to the prosecution of the war.

DONALD M. NELSON,  
Chairman.

AUGUST 21, 1943.

[F. R. Doc. 43-13786; Filed, August 24, 1943;  
10:24 a. m.]

[Certificate 117]

TRANSPORTATION AND DELIVERY OF FOOD  
PRODUCTS IN TOPEKA AREA, KANSAS

## APPROVAL OF JOINT ACTION PLAN

## The ATTORNEY GENERAL:

I submit herewith a recommendation of the Director of the Office of Defense Transportation concerning a plan for joint action by the persons named therein with respect to the transportation and delivery of food products in Topeka, Kansas, including North Topeka and those districts known as Oakland and Highland Park.<sup>1</sup>

For the purposes of section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I approve the joint action plan described in the recommendation; and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with such joint action plan is requisite to the prosecution of the war.

DONALD M. NELSON,  
Chairman.

AUGUST 21, 1943.

[F. R. Doc. 43-13787; Filed, August 24, 1943;  
10:24 a. m.]<sup>1</sup> Supra.

